Appendix (D. D.)

7th May.

The Committee cannot discover any grounds for the opinion expressed by the Memorialist, that "the custom "appears to have crept in apparently when the members "were off their guard," nor is there anything which they can find, to justify the assertion that the custom crept in "when there was not even a *quorum* of the "Council present." Lands have been sold under such circumstances, undoubtedly, for power was given (in order to expedite and facilitate business) on more than one occasion, to a number of members less than five, to decide on the applications of intending purchasers; but, the practice of selling, when stopped, has never been resumed but under the authority of the Council.

The Committee are also unable to discover the authority on which the Memorialist has stated that, "during "the administration of Sir Charles Bagot, 1842, the "custom of selling seems to have been almost abandon-"ed;" for it appears from the Bursar's returns for 1845, that the number of acres sold in the year 1842, exceeds the average of the seventeen years during which the Institution has existed. The average yearly sale of the lands of the University has been about 7,200 acres, whilst the amount sold in 1842, is 7,501. In fact, it was during this administration, in 1842, that the Council adopted the principle (as developed in the Report of the Finance Committee presented on March 15th, of that year) of borrowing from incoming capital for current expenses, and paying it back with interest, mainly by means of alienating all the leased lands. From that time the necessity of selling the Estate was fully recognized and acted on; and although some members were still desirous of retaining some of the leased lands, the practice seems to have been uniformly persevered in until the beginning of 1844, when a Committee was appointed to report on the state of the Endowment. In April of that year they submitted a recommendation to the Council on the subject, and the result of the discussion thereon was the adoption of a resolution to resume the sale of lands.

The Memorialist further advances on this subject the following remark: "The Finance Committee made a "Report, and the Council passed two Resolutions in Fe-"bruary and March, 1843, yet, notwithstanding, these "facts, and although the Council had for a considerable "time abandoned the idea of selling the Endowment, yet "afterwards, during the time when there was no College "Council in existence, in the interval prior to the for-"mation of the present Council, sales of the University "lands were effected upon a very extensive scale, and "the very first act which the present Council was called "upon to perform was the sanctioning the alienation of "Government Debentures bearing six per cent. per annum, "interest." The Committee cannot conjecture to what Report of the Finance Committee the Memorialist refers —the only Report was presented in the year 1843. The Memorialist himself and Professor Croft were appointed a Finance Committee in October of that year, "to ex-"amine into the state of the resources of the University, "and especially the state of the arrears of monies due to "the University," but no action was taken by that Committee, nor was any Report or suggestion ever offered by them to the Council.

If the Memorialist intended to refer to the Report of the Finance Committee presented in March, 1842, he has been most unfortunate in his reference, as the principles on which that Report is based (as is evident from what has been before stated) are most adverse to his views. The Committee believe that the two Resolutions passed in February and March, 1843, were not founded on any Report—there is certainly no evidence whatever that they were; nor is there any thing to lead to the inference that it was the intention of the Council, when passing these, to abandon the sale of the Endowment.

In August, 1839, a Committee recommended the mode of leasing the College lands to the consideration of the Council. The Committee were of opinion, "that the "rent should be in some degree proportioned to the value "of the land." Since that time the increase of the rents has been repeatedly the subject of conservation at the Council table, and at length, in 1843, was reduced to the form of Resolutions as the Memorialist states, but certainly neither then nor at any other time (except at the period already mentioned, April, 1844,) has the Council come to any resolution to stop the alienation of the Estate by sale at a fixed limit. Whilst the consideration of these Resolutions, in 1843, engaged the attention of the Council, the lands were being sold; when they had been passed the lands continued to be sold; nor was there any member of the Council which immediately preceded the newly formed body (comprehending the Professors) that had ever expressed a doubt of the expediency of, or rather necessity for, selling the lands to enable the University to go into immediate and effectual operation.

But the Memorialist states that "the Council had for a "considerable time abandoned the idea of selling the En-"dowment." If the Memorialist had offered any proofs of this assertion, it might be necessary to inquire into their validity. As he has not, it only remains for the Committee to state in reply, that the assertion is wholly without foundation. The Memorialist also states that "du-"ring the time when there was no College Council, sales of "the University lands were effected upon a very exten-"sive scale." The Committee have no doubt that the sale of the University lands was continued during that time, but it certainly was not resumed then after it had been previously stopped. The general Returns for 1843 will prove that the sales were conducted with at least as much caution as usual; for the amount sold was less than what had been sold during some other years, and the average price per acre is, for the King's College Estate, higher than that for any other year but one; and for the Upper Canada College Estate, the highest of all. On minute enquiry into the sales effected during the time, "when there was no College Council," *scil.* from the beginning of April to the close of September, a period of about six months, they find that the amount of acres sold in that half year is only about two-thirds of that sold in the other, when there was a College Council holding regular meetings; whilst the average price per acre of King's College lands, sold in that period, exceeds not merely that of the other six months, but that of any year since the foundation.

But the Memorialist continues with reference to the management during this period, "the very first act which "the present Council was called upon to perform, was "the sanctioning the alienation of £6,000 of Govern-"ment Debentures." The Committee both are and were at a loss to know the ground of the objections of the Memorialist to the application of that amount of funds. He knows as well as they that during 1843, the building on the University grounds was in progress, and was not completed until the close of that year; that as the University opened on June 8th, heavy expenditure was necessarily incurred in preparations; that at the last meeting of the former Council, on April 8th, the Bursar was directed to pay upwards of £1,500 on account of Mr. Ridout's property,—and that the statement of the funds, as exhibited on the last Wednesday in March, shewed a debt of £3,000 to the Bank of Upper Canada. Is there any thing to excite astonishment or to justify censure in the fact that, in September of that year, the Council were called on to pay £3,500 out of their capital to meet the expenditure on buildings and outfit during the previous period of six months, when that outlay was necessarily made? During that period, independently of a number of smaller accounts paid for fittings, &c., there were disbursed on account of Mr. Ridout's property more than £1,500,—to Mr. Richey the builder, £1,950,—on account of the general Library, upwards of £650,—and to Mr. Paget, on account of Medical Library and Instruments, about £950. Is it, the Committee would ask any one who took the trouble of investigating the subject with the object of aiming at the truth,—is it extraordinary that the debt, which at the end of March was £3,000, should have been increased at the end of September to £6,500, when during that time payments were to be made on account of buildings, investment in land, and preparations for commencing the business of the University? Is there any thing which deserves censure in the