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SEVENTH REPORT

OF

THE FRASER INSTITUTE

TO

30th JUNE, 1885.



MONTREAL:

PRINTED BY THE GAZETTE PRINTING COMPANY

—
1885.

THE FRASER

SEVENTH ANN

I have the pleasure of reporting that the annual meeting of the Fraser Institute was opened in Montreal on the 15th ult., in the presence of a number of leading citizens. A report of the proceedings of the meeting is published herewith.

The Board were enabled to complete the arrangements for the opening of the Institute, the negotiations between the Canadian Historical Association, and *L'Institut Canadien d'Etudes Historiques* contemplated for some time past. The Canadian Historical Association has transferred to the Fraser Institute a collection of books, and a net sum of about \$300, with an obligation for \$300, which has been sufficiently secured. Many of the volumes are unfortunately not in very good condition. And there are volumes missing. But, notwithstanding this, the collection will prove both useful and valuable to the Institute as a nucleus of standard books for the library. It is, however, desirable that it will be absolutely necessary to purchase a number of modern works in history, science, and literature, together with some leading authors of the present character.

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THE FRASER INSTITUTE.

SEVENTH ANNUAL REPORT.

I have the pleasure of reporting that the Free Library of the Fraser Institute was opened by the Mayor of Montreal on the 15th ult., in the presence of a large meeting of leading citizens. A report of the proceedings at that meeting is published herewith.

The Board were enabled to make the requisite arrangements for the opening of the library, by the completion of the negotiations between them and the Mercantile Library Association, and *L'Institut Canadien*, which have been contemplated for some time past. The Mercantile Library Association has transferred to the Institute its collection of books, and a net sum of about \$1200 in cash: together with an obligation for \$3000, which seems to be sufficiently secured. Many of the books are valuable, though unfortunately not in very good order as to binding, etc. And there are volumes missing from many of the works. But, notwithstanding this, the collection received will prove both useful and valuable; and will form an excellent nucleus of standard books for the English section of the library. It is, however, deficient in modern literature, and it will be absolutely necessary to add to it a collection of modern works in history, science, travel, and biography; together with some leading and standard works of a lighter character.

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The collection of the *Institut Canadien* is more extensive, and comprehends a large proportion of the most appropriate standard French works, in every department of literature. At present they are only held by the Fraser Institute on deposit, to await the judgment of the Superior Court upon the Injunction taken out by some of the members of the *Institut Canadien*, to restrain that corporation from transferring its books to the Institute. An agreement had previously been made for the conveyance of the books, prints and funds of the *Institut*, to the Fraser Institute absolutely; but the carrying out of this agreement has been suspended, until the decision upon the Injunction. In addition to the books, there is a large collection of engravings on various subjects, some of them framed. The remainder have been assorted in portfolios in a manner convenient for reference. The Institute also received from the *Institut Canadien*, a fund which will amount to about \$2,750, net, the interest of which, it is agreed, shall be expended yearly in books, in the French language, to be added to the collection in the French department, of which the books of the *Institut Canadien* will form the basis.

The High School property has been taken over by the Governors, and the upper storey fitted up for the purposes of the library. The lower storey and the adjoining building have been leased at moderate rents.

A policy on the life of Mr. D. Lanigan for \$2,000 fell in during the past year, and by means of its proceeds, and the funds deposited by the Mercantile Library Association and the *Institut Canadien*, the expense of repairing and fitting up the building has been mainly liquidated.

The interest on the unpaid balance of the purchase price, amounting to \$20,100, has been paid. That portion of the purchase money amounting to \$10,600 which was paid at the time of the purchase still remains due, with interest from that date.

The farms belonging to the same rates as last year, and upon which an advance of \$50,000 of the revenue from the St. Sacrament buildings has ceased, because the balance of the legacies left by the late Board were paid out of an advance, the Board did not desire to purchase in the market. In other respects the revenue and expenditure remain unchanged.

The subscriptions to the building fund are \$14,000, and are in process of collection. The intention of the Board to press upon the public the expediency of increasing this fund to cover the price of the High School building, for the purpose of about \$17,000 more was abandoned. Hence, the Free Library can be supplied with that alone no considerable number of books can be made. I hope, however, to receive assistance from the citizens in this respect. It is said that an outlay of \$2,000 on the part of the Board to supply the Library with books are absolutely essential to its utility.

Being unable to find a purchase site in the High School and St. Peter Streets properties, and from them not much exceeding the value of the land alone, the Government has decided to build upon those properties. The site has been placed under contract, to be finished in the next few months. It will comprise two hundred and thirty-six offices, with heating apparatus complete. Arrangements have been made for building purpose funds for building purpose; and it is hoped that the interest; and it is hoped that

is more extensive, of the most appropriate department of field by the Fraser judgment of the taken out by some of to restrain that cor- the Institute. An for the conveyance *Institut*, to the Fraser out of this agree- decision upon the s, there is a large s, some of them ed in portfolios in The Institute also fund which will erest of which, it ooks, in the French ion in the French *Institut Canadien* taken over by the d up for the pur- and the adjoining rents. n for \$2,000 fell in its proceeds, and e Library Associa- ise of repairing and y liquidated. e of the purchase aid. That portion 10,600 which was emains due, with

The farms belonging to the Institute are all leased at the same rates as last year, except the McMartin farm, upon which an advance of \$50 has been obtained. But the revenue from the St. Sacrament and St. Peter Street buildings has ceased, because of their destruction to make way for the new buildings now being erected. The balance of the legacies left by the founder, having become due, were paid out of an advance on Bank Stock, which the Board did not desire to sell on account of its low price in the market. In other respects the current revenue and expenditure remain unchanged.

The subscriptions to the building fund now amount to \$14,000, and are in process of collection; and it is the intention of the Board to press upon the public the expediency of increasing this fund to an amount sufficient to cover the price of the High School property, for which purpose about \$17,000 more will suffice. With this assistance, the Free Library can be efficiently maintained; but with that alone no considerable addition to its collection of books can be made. I hope, therefore, for further assistance from the citizens in this respect also. And I may say that an outlay of \$2,000 or \$3,000 would enable the Board to supply the Library with most of the books which are absolutely essential to its usefulness.

Being unable to find a purchaser for the St. Sacrament and St. Peter Streets properties, and the rental derived from them not much exceeding half the interest on the value of the land alone, the Governors have determined to build upon those properties, and the building has been placed under contract, to be finished before the 1st of May next. It will comprise two excellent stores and about thirty-six offices, with heating apparatus and lift, etc., complete. Arrangements have been made for the requisite funds for building purposes at a moderate rate of interest; and it is hoped that a net revenue will be

derived from this building, which will double the income heretofore obtained from the property ; or in other words, which will at least pay the interest on the value of the building lots themselves, after providing for interest on the outlay, and all current expenses.

The Institute has been the recipient of several donations of books during the year, a list of which is appended to this report.

In conclusion, the Governors desire to express their gratification at having been able to open the Institute upon the footing which they have reached ; and they are confident, that in view of the general desire which has been so freely expressed for years past, that there should be a free library established in Montreal upon a substantial basis, the public will contribute the moderate amount, which it is now plain will be sufficient to attain that object.

J. J. C. ABBOTT,
President.

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J. C. ABBOTT,

President.

Abstract of Receipts and Disbursements of the Fraser

RECEIPTS.			
Cash on hand 1st July, 1884, General Account.....	798 20		
Cash on hand 1st July, 1884, Special Account.....	390 49		
		1188 69	
Rents derived from King Post Farm.....	1243 15		
“ “ Knox “	1251 00		
“ “ McMartin “	150 00		
“ “ St. Peter Street property.....	291 00		
“ “ St. Sacrament Street property.....	1200 00		
“ “ High School property.....	1187 19		
		5322 34	
Dividends on Merchants Bank Stock.....	1120 00		
Do. Citizens Insurance Co.....	45 00		
		1165 00	
Received from Canada Life Assurance Co.—Amount of } policy on life of D. Lanigan..... }	2000 00		
Do. do. accrued profit.....	5 28		
Do. do. refunded premium.....	5 45		
		2010 73	
Costs paid by the Provincial Government through Abbott Tait & Abbotts in the suit of the Attorney-General against the Institute to annul the charter, the suit being dismissed		300 57	
Received on deposit from L'Institut Canadien.....	3146 27		
“ Donation from Mercantile Library Association....	1571 70		
		4717 97	
“ Interest on Mortgage transferred by the Mercan- tile Library Association.....		217 80	
Advanced temporarily by Hon. J. J. C. Abbott.....	1925 00		
Advanced by Geo. W. Hamilton on 30 shares of Merchants Bank Stock	3093 75		
		5018 75	
Carried forward.....			\$19941 85

Institute for

Paid R. Moat, Int
Property...
“ Alex. Fraser
“ Rev Jas. G
“ Grand Trunk
on Mortgage
“ L. J. Sargen

“ Alex. Fraser
“ Minors Chap
“ Heirs late Ja

Repaid advance by
Paid School-tax on
“ School-tax on

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“ J. K. Ward, Sh
on Knox Farm
“ Expenses inspe

“ Repairing Roof
“ Edward Evans
“ Larkin & Co., I
“ W. A. Phillips,
“ C. Cushing, No

“ Postage, mailin
“ Petty Disburse
“ Cost of alterat
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“ Plastering first f
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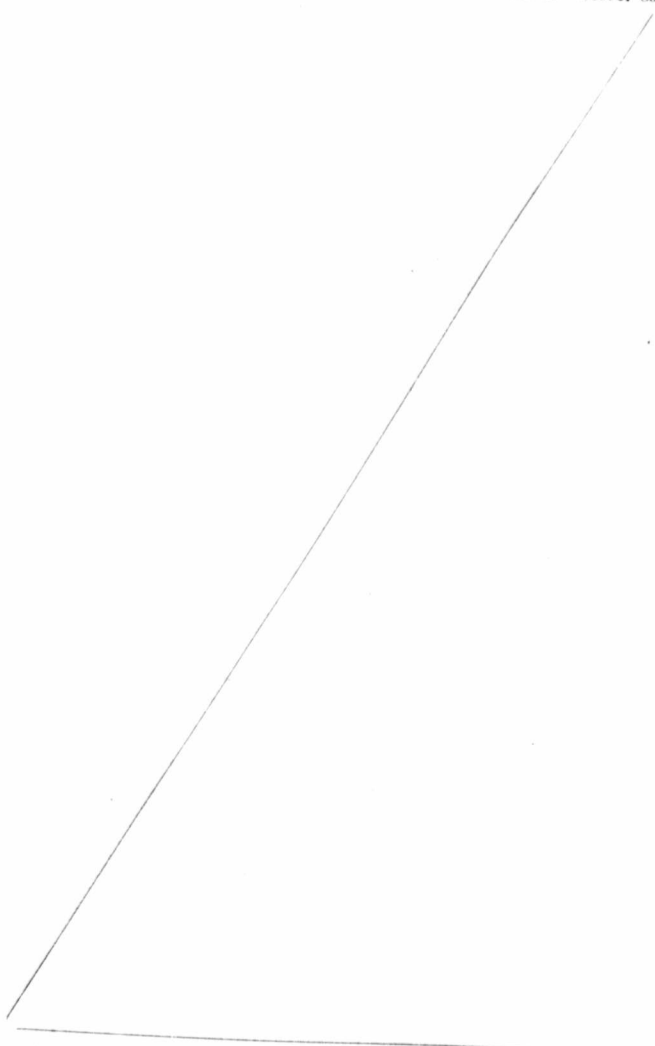
798 20	
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150 00	
291 00	
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1187 19	
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45 00	
1165 00	
2000 00	
5 28	
5 45	
2010 73	
3146 27	
1571 70	
300 57	
4717 97	
1925 00	
217 80	
3093 75	
5018 75	
\$19941 85	

Institute for the Year ending 30th June, 1885.

DISBURSEMENTS.			
Paid R. Moat, Interest on Mortgage St. Sacramento Street Property.....	1200 00		
" Alex. Fraser, Interest on Mortgage King's Post Farm.....	144 00		
" Rev Jas. Green, Interest on Mortgage Knox Farm.....	240 00		
" Grand Trunk Ry. Co. Superannuation Fund, Interest on Mortgage High School Property.....	726 00		
" L. J. Sargent, Interest on ditto.....	480 00		
" Alex. Fraser, Annuity.....	1000 00	2790 00	
" Minors Chapman, Legacy and Interest.....	3138 30		
" Heirs late Jane Fraser, Legacy and Interest.....	403 02		
Repaid advance by Hon. J. J. C. Abbott.....		4541 32	
Paid School-tax on King's Post Farm.....	23 65	1925 00	
" School-tax on Knox Farm.....	26 00		
" Special Assessment to Corporation on St. Sacramento Street Property, for widening Hospital Street.....	70 50	49 65	
" Corporation Tax on St. Peter Street Property.....	100 00		
" Advertising in Witness King's Post Farm to let.....		170 50	
" Premiums of Insurance on Knox Farm.....	6 50	1 20	
" " " St. Sacramento Street and St. Peter Street Property.....	76 05		
" " " on Mackay pictures.....	19 35		
" " " Library Books.....	61 00		
" " " H. Barnes' life.....	37 52		
" J. K. Ward, Share of price of Lumber for new barn on Knox Farm.....	450 00	200 42	
" Expenses inspecting new barn.....	2 50		
" Repairing Roof St. Peter Street Property.....		452 50	
" Edward Evans, Auditor's Fee.....		31 05	
" Larkin & Co., Printing 6th Annual Report & Circulars.....		10 00	
" W. A. Phillips, Notarial Fees.....	15 70	42 00	
" C. Cushing, Notarial Fees.....	2 00		
" Postage, mailing Annual Reports and Circulars.....		17 70	
" Petty Disbursements made by Mr Leach, Librarian.....		2 75	
" Cost of alterations to interior of building on High School Property, leased to Mr. Strong.....	1966 00	62 15	
" New flooring, removing porches, and altering entrances to ground floor of main building, High School Property.....	200 00		
" Plastering first floor.....	40 00		
" Glazing do. do.....	43 00		
" Plumbing do. do.....	46 26		
" Cleaning ashes and further excavating cellar.....	37 00		
" Laying flag and curb-stones.....	90 96		
" Roofing.....	455 56		
" Carpenters' contract for shelving, &c., for Library rooms.....	2415 56		
" Heating apparatus, furnace.....	1440 75		
" Bricking.....	117 00		
" Glazing.....	45 00		
" Carpenter work, painting, &c.....	317 96		
		7214 85	
Carried forward.....		\$17511 09	

Abstract of Receipts and Disbursements of the Fraser

Brought forward..... \$19941 86



\$10441 85

Institute for

- Paid Montreal A
- rent, &c.,
- Library A
- " R. D. McGil
- Athletic A
- " For Magazi
- " For Periodi
- " For Books..
- " For Duty at
- " For Tables.
- " For Morocco
- " For Step-la
- " For Office D
- " For Shovelli
- " Cartage of I
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- Association
- " Evans Bros,
- " Salaries of I
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- " Messrs. Dou
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- National....
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By cash balance on

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Institute for the Year ending 30th, 1885.—Continued.

DISBURSEMENTS.		
<i>Brought forward</i>		
Paid Montreal Athletic Association, claim for arrears of rent, &c., in order to obtain possession of Mercantile Library Association Books.....		\$17511 09
" R. D. McGibbon his fee upon settlement with Montreal Athletic Association.....	\$500 00	
" For Magazines.....	25 00	
" For Periodicals.....	22 75	
" For Books.....	32 84	
" For Duty and Charges on same.....	124 35	
" For Tables.....	14 76	
" For Morocco for Tables.....	64 00	
" For Step-ladder.....	9 75	
" For Office Desk.....	4 00	
	45 00	
" For Shovelling Coal and Cleaning Snow.....	3 00	842 45
" Cartage of Newspaper Stands from Mr. Waddell's....	1 75	
" Cartage Mercantile Library Books from Athletic Association Rooms.....	15 38	
" Evans Bros., Coal Account.....	95 01	
" Salaries of Librarian, Assistant and Porter.....	217 00	
		332 14
" Club National, for proportion of Expenses during the period the books were under their control.....	295 42	
" Express hire demanding delivery of books from Club National.....	50	
" Messrs. Doure & Co., Disbursements in the case between the Club National and L'Institut Canadien.....	25 00	
" Messrs. Doure & Co., for Bailiff's Fee on seizure of L'Institut Canadian Books in the hands of the Club National.....	35 50	
		356 42
" Expenses of management, collection of rents and revenue, keeping accounts, &c, &c., 5 per cent. commission on \$6,487.34.....	324 86	
" Acting Secretary-Treasurer, for extra services during year.....	100 00	
		424 86
By cash balance on hand.....		19466 96
		474 89

\$19941 85

To the President and Governors of Fraser Institute.

GENTLEMEN,—In accordance with your instructions, I have examined and audited the annexed Statement of Receipts and Disbursements of the Institute, from 1st July, 1884, to 30th June, 1885, and beg to report that it is a correct summary of the cash book of the Institute, and that the disbursements are satisfactorily supported by vouchers.

I am, gentlemen,

Your obedient servant,

EDWARD EVANS,

Accountant.

18th August, 1885.

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The Hon. Mr. J.
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Collection
Civil Code
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Proceeding

Hon. Mr. JUSTICE
Parkman's

G. W. STEPHENS,
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M. BIBAUD, Esq.,
History and

ROBERT MOAT, Esq.
Biography,

MRS. F. W. TORR
The Royal
English

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DONATIONS TO THE FRASER INSTITUTE.

	VOLS.
The Hon. Mr. Justice Ramsay and the Hon. J. J. C. Abbott—	
Parliamentary Journals, Reports, Sessional Papers and Appendices.....	437, Svo.
Hon. J. J. C. Abbott—	
Parliamentary Debates.....	17, Svo.
Seigniorial Official Cadastres.....	9, 4to.
Imperial Parliamentary Returns and Reports, 1836 to 1841.....	11, 4to.
Collection de Manuscrits relatifs à la Nouvelle, France..	4, 4to.
Civil Code and Code of Procedure, Draft of Civil Code, various Reports and Publications.....	70, Svo.
Proceedings of the Royal Society of Canada.....	2, 4to.
Hon. Mr. Justice Torrance—	
Parkman's Montcalm and Wolfe, and various works....	8, Svo.
G. W. Stephens, Esq., M.P.P.—	
The Windsor Gazette of 1801; The Post Boy, and Ver- mont and New Hampshire Federal Courier, 1805....	3, fol.
M. Bibaud, Esq., LL.D.—	
History and Biography.....	6, Svo.
Robert Moat, Esq.—	
Biography, Travels, Poetry, etc.....	140, Svo.
Mrs. F. W. Torrance—	
The Royal Dictionary of French and English, and English and French.....	1, 4to.
His Excellency the Governor-General—	
The Confederation Medal 1867.	

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your instructions, I have
Statement of Receipts and
a 1st July, 1884, to 30th
s a correct summary of the
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ent servant,
EDWARD EVANS,
Accountant.

THE
OPENING OF THE FRASER INSTITUTE.

Pursuant to notice, a meeting was held in the Fraser Institute building, corner of Dorchester and University Streets, on the evening of the 15th of October, 1885, to assist at the opening of a Free Library, as part of the Institute.

Among those present, in addition to the Governors, the Hon. J. J. C. Abbott, President, Hon. Judge Torrance, Mr. Peter Redpath and Mr. Thomas Workman; were His Worship Mayor Beaugrand, Sir Wm. Dawson, Honorable Justices Mackay, Jetté and Mathieu, of the Superior Court, Senator Ferrier, the Honorable Donald A. Smith, Mr. M. H. Gault, M.P., the Rev. Canon Norman, Ven. Archdeacon Evans, Rev. Canon Henderson, Rev. Dr. Leach, Revd. Principal MacVicar, Revd. Mr. Campbell, Professors Johnson and Coussirat; Messrs. Hugh McLennan, Henry Lyman, Robert Mackay, Theodore Lyman, McLachlan, Wm. C. Macdonald, D. Morrice, Mr. Irwin, President of the Mechanics' Institute, Messrs. McBean, Atwater, Rees, Abbott, and a large number of other leading citizens.

After half an hour spent in examining the rooms and their arrangements, the books, engravings, &c., the Hon. Mr. Abbott, the President of the Institute, took the chair and called the meeting to order.

After a few preliminary remarks, the President read the following address:

MR. MAYOR

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Mr. Hugh F-
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MR. MAYOR AND GENTLEMEN :

The Governors of the Fraser Institute have looked forward, for many years past, to an occasion when they could present themselves before the public of the city of Montreal, and render an account of their stewardship. They now congratulate themselves upon being able, though only in the modest way you see, to open; for the use of the public, a portion of the Institute contemplated by the bequest of Mr. Fraser; although what they have so far been able to do, constitutes only a first step towards the establishment of an institution worthy of the metropolitan city of Canada, and commensurate with the intentions of its generous founder. They consider that this is also a suitable occasion for them to make the public better acquainted with the particulars of the trust confided to them, and of its management. And on behalf of the Board, I propose now to refer to the circumstances of the bequest; to state the difficulties under which the trust has labored, and the position it has reached; and to indicate the further efforts which appear necessary to give full effect to the beneficent designs of the founder. And although during the past five years annual reports have been published and circulated by the Board, it may be well, that at the risk of wearying you, I should review in outline, at least, the events which have occurred in connection with the Institute. And I hope they will not be uninteresting to you.

Mr. Hugh Fraser, as many of you will remember, was a merchant in Montreal, unmarried, but with several brothers and sisters. About six months before his death, he conceived the idea of appropriating the greater part of the means he had accumulated, towards some object for the benefit of the city in which he had prospered; and he finally settled down upon the idea of an institute, in the interest of literature, science and art. With this view he

FRASER INSTITUTE.

was held in the Fraser
 Manchester and University
 15th of October, 1885, to
 Library, as part of the

dition to the Governors,
 at, Hon. Judge Torrance,
 as Workman; were His
 Wm. Dawson, Honorable
 Mathieu, of the Superior
 honorable Donald A. Smith,
 Canon Norman, Ven.
 Henderson, Rev. Dr.
 r, Revd. Mr. Campbell,
 at; Messrs. Hugh Mc-
 Mackay, Theodore Lyman,
 D. Morrice, Mr. Irwin-
 titute, Messrs. McBean,
 e number of other lead-

examining the rooms and
 gravings, &c., the Hon.
 Institute, took the chair

ks, the President read

made two wills, by the last of which, dated the 23rd of April, 1870, he made various special bequests to the members of his family and others, amounting in all to about \$20,000, and settled an annuity of \$1,000 per annum upon one of his brothers during his life and that of his wife; and bequeathed the remainder of his property to the Hon. Mr. Justice Torrance and myself, in trust, to establish here an institution to be called "The Fraser Institute." The purposes of this institution may be best described in his own comprehensive words. He provides that the Fraser Institute shall be composed "of a free public library, museum, and gallery, to be open to all honest and respectable persons whomsoever, of every rank in life without distinction, and without fee or reward of any kind." For that purpose he authorized his trustees to procure such charter or act of incorporation as they should deem appropriate to the intended purpose, namely, as he states in his will, "to the diffusion of useful knowledge by affording free access to all desiring it, to books, scientific objects and subjects, and works of art; and to the procuring such books, subjects and objects," as far as the revenue of the estate would serve, after acquiring the requisite property and erecting appropriate buildings, and after paying expenses of management; making always, says the will, the acquisition and maintenance of a library, the leading object to be kept in view. After making the various other provisions referred to, he appointed Mr. John Cowan and myself his executors. On the 15th of May, 1870, he died, and the trustees and executors immediately took possession of the estate and commenced its administration. It was then composed of his stock in trade, subject to the debts due and joint accounts running in connection with it; 600 shares of Merchant's Bank stock, paid up, and 300 shares on which 10 per cent. had been paid; the stock of cattle, etc., on the farm, known as the "King's Post

Farm;" and
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Evans, account

which, dated the 23rd of special bequests to the amounting in all to about of \$1,000 per annum upon life and that of his wife; of his property to the Hon. self, in trust, to establish "The Fraser Institute." may be best described in He provides that the Fraser of a free public library, to all honest and respectable every rank in life without reward of any kind." For trustees to procure such they should deem appropriate, as he states in his knowledge by affording books, scientific objects and to the procuring such far as the revenue of the the requisite property ings, and after paying g always, says the will, of a library, the leading making the various other ed Mr. John Cowan and h of May, 1870, he died, mmediately took possession its administration. It n trade, subject to the ing in connection with stock, paid up, and 300 een paid; the stock of as the "King's Post

Farm;" and real estate; consisting of a property on St. Sacramento, St. Peter, and St. Alexis streets, and three farms in the parish of Lachine, containing in all about 770 acres. At the time of Mr. Fraser's death, these properties were covered by mortgages for a little over \$37,000.

But no sooner had the trustees and executors come into possession of the estate, than the lengthy and costly legal proceedings, which for many years prevented the possibility of any movement of importance in connection with the bequest, were commenced.

An action was instituted on the 15th of June, 1870, by the heirs of Mr. Fraser, to set aside the bequest, as contrary to the law of mortmain. This action was dismissed in the Superior Court at Montreal, by the Hon. Mr. Justice Beaudry on the 30th of March, 1871. Thereupon the heirs instituted an appeal from his judgment to the Court of Queen's Bench, in which Court, after two hearings, judgment was given on the 24th of June, 1873, reversing the judgment of the Superior Court, and annulling the bequest for the establishment of the Institute. The five judges of the Court of Appeals, however, differed in opinion, Mr. Chief Justice Duval and Mr. Justice Badgely dissenting from the majority.

From this judgment the trustees and executors appealed to the Privy Council, and in June, 1874, I proceeded to England to take charge of the appeal. In August of that year, after an elaborate argument lasting for three days, the case was taken under advisement by the Privy Council,—and on the 26th of November, 1874, they rendered judgment reversing the judgment of the majority of the Court of Queen's Bench, and holding the bequest valid.

Before the promulgation of this judgment, however, the trustees and executors placed the books and accounts of the estate in the hands of the late Mr. Riddell and Mr. Evans, accountants, for analysis, audit, and report. On

the 12th of November, 1874, they presented an elaborate report with an analysis of the accounts of the estate, and thereupon the trustees and executors conveyed the estate to the corporation of the Fraser Institute, for which they had previously procured a charter from the Quebec Legislature. This report and a summary of the analysis of accounts which accompanied it, were published in full in the first annual report of the Institute made in 1879, and they have since been on more than one occasion the subject of debate in the courts. It is enough for me at this moment to say, that they have been held to be valid and sufficient in every respect, by more than one judgment of the Superior Court.

At the time when the corporation thus became vested with the estate, it seemed possible to take some step towards the establishment of the Institute, and the prospects of being able to do so efficiently were favorable. Property had reached a high value in Montreal and its neighborhood, and sanguine anticipations prevailed as to a still further increase in such value. With the view, therefore, of taking advantage of the general prosperity, and of disposing of the property at an early date, the Board caused the real estate to be surveyed, and plans to be made of it, and took means to ascertain the views of persons versed in the value of real estate, as to the amount which could probably be realized from the sale of the properties.

The information they obtained, placed the real estate at estimates varying from \$250,000.00 to \$400,000.00. The bank stock they then held was at a premium, and could have been easily realized; and upon the whole, they felt justified in determining to procure plans for the erection of a suitable building, to cost a sum not exceeding \$100,000; and in purchasing a suitable site. On the 26th November, 1875, they offered by advertisement premiums

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for the first and second best designs for the building of the Institute, and on and before the 1st February, 1876, the day fixed by their notice, they received a large number of designs, both from Canada and the United States.

These were exhibited to the public during February and March, 1876; were carefully examined both by the Board and by an expert employed for the purpose, and finally, on the 22nd of April, 1876, the premium for the best design was awarded to Mr. W. Hopkins, and for the second best to Mr. W. T. Thomas, both of Montreal, architects.

During all this period, however, and for long afterwards, the Board were embarrassed and obstructed by the continued and active hostility of a portion of the heirs.

In January, 1875, a memorial was presented to the Legislature of the Province of Quebec, praying for the passage of an Act, declaring in effect that the Privy Council was in error in its interpretation of the law: correcting that interpretation according to the views of the heirs, and allowing them to bring their action over again. And the Honorable Jean Louis Beaudry on the 20th January, 1875, introduced a bill in the Quebec Legislature, containing provisions framed in conformity with the memorial.

The Board opposed the passage of this bill at Quebec, sending down a delegation of their own number, and employing counsel for that purpose; and they finally succeeded in defeating the bill.

Afterwards, on the 5th of January, 1876, a second action to set aside the will was instituted on the ground that the testator was *non compos mentis* at the time of its execution; and after due contestation and discussion, this action was dismissed on the 1st of June of that year.

On the 7th of June, 1876, the heirs served upon the Board a formal printed protest against their proceeding with the trust, which protest was largely circulated.

On the 27th of January, 1877, the heirs served upon the Institute a special notification and protest, insisting on the illegality of the judgment of the Privy Council, and protesting against the property of the trust being disposed of or dealt with according to the will.

On the 30th of January, 1877, the Board, not deriving such a revenue from the St. Sacrament street stores, as they thought should be obtained, endeavoured to sell them through the instrumentality of Mr. J. J. Arnton, auctioneer, and a considerable audience was attracted to Mr. Arnton's rooms on the occasion. But as soon as the property was announced for sale, a notary appeared and protested against the sale, notifying the audience and the auctioneer that the Board could give no valid title to the property. Consequently no bid whatever was made for it.

On the 6th of March, 1877, the heirs served upon the Institute a notarial protest turning upon the same points as the last, and containing numerous charges of falsification of entries, accounts, books and documents. Also protesting against any attempt to proceed with the establishment of the Institute.

On the 31st of March, 1877, they served a further protest upon the Institute, notifying the President and Governors of their intention to take further proceedings to set aside the founder's will, and protesting against any steps being taken to carry out his intentions.

On the 23rd of April, 1877, they served a further notarial protest upon the Institute, protesting against the transfer of bank stock by the executors to the trustees, in conformity with the will; and against any action by the Governors under the charter; charging falsification of accounts, records, &c.

On the 5th of November, 1877, the heirs presented a petition to the Court of Appeal (*requête civile*), in which they prayed for an appeal to the Privy Council, on the ground of the consequence of which they would be enabled to obtain judgment; praying that the property of the Privy Council should be restored, and the judgment of the Court of Appeal and the Bench should be put aside.

This petition was presented to the Court of Appeal, and thereupon was referred to the Court of Appeal, on the 10th of January, 1878, the Court of Appeal.

On the 7th of March, 1878, the heirs presented to the Supreme Court of the Province an appeal from the decision of the Court of Appeal, *pauperis*, and this petition was dismissed.

On the 17th of April, 1878, the heirs served upon the Court of Appeal a petition, in which they charged against the Court of Appeal the charges of falsifying records, accounts, and ceremonies, &c., charging that the Court of Appeal had improperly heard the case, and that he being interested in the result, the Court of Appeal should be set aside, and the value of \$10,000 should be restored to the heirs.

In May, 1878, a petition was presented to the Privy Council, praying for an appeal, but the petition was rejected.

On the 11th of September, 1878, the heirs presented to the Court of Appeal a petition, in which they prayed for an enquiry into the records of the Court of Appeal, and for an order that the records be produced. This petition was dismissed, on the 11th of September, 1878.

On the 12th of October, 1878, the heirs presented to the Court of Appeal a *Requête libellée* was taken.

On the 5th of November, 1877, Mr. John Fraser presented a petition to the Superior Court, at Montreal (*requête civile*), in which he alleged that the record in appeal to the Privy Council had been tampered with, in consequence of which that Court had given an erroneous judgment; praying the Court to order that the judgment of the Privy Council should be declared null and void, and the judgment of the majority of the Court of Queen's Bench should be put in execution.

This petition was dismissed on the 8th of November, and thereupon was inscribed for review, and on the 31st of January, 1878, the motion for review was dismissed.

On the 7th of March, 1878, a petition was presented to the Supreme Court of Canada, praying to be allowed to appeal from the decision of the Court of Review *in forma pauperis*, and this petition was in due course also dismissed.

On the 17th of April, 1878, a further notarial protest was served upon the Merchants' Bank, repeating the charges against the executors, trustees and governors of falsifying records and accounts, misappropriating monies, &c., charging that His Honor Mr. Justice Mackay had improperly heard the argument in one of the suits; he being interested in the result, as the donor of pictures of the value of \$10,000, &c.

In May, 1878, a petition was presented to the Privy Council, praying to be allowed a further appeal, but this petition was rejected in due course.

On the 11th of September, 1878, a petition was presented to the Court of Queen's Bench for Lower Canada, praying for an enquiry into the complaints as to the record. This petition was dismissed on the 18th of September, 1878.

On the 12th of September, 1879, a proceeding by *Requête libellée* was taken by the Honorable David A. Ross,

Attorney General, on the information of the heirs, and upon security given by the Hon. Mr. Beaudry, praying for the revocation of the charter of the Institute, and alleging, in support of the application, all the various grounds and charges set up in previous proceedings against the Institute, and against the trustees.

On behalf of the institution, all the allegations of the *Requête* were put in issue, and the case was inscribed for trial on the merits, on the 5th of March, 1880. But before that day arrived the Attorney General withdrew the proceedings with costs.

A question came up incidentally in 1879 respecting the accounts, and the transfer of the assets to the Institute. In December, 1878, Mr. John Fraser wrote a letter to Sir Hugh Allan, which he afterwards enclosed to the Mayor of Montreal, in which he accused the auditors, Messrs. Riddell and Evans, of having certified the accounts as correct, while in fact those accounts were erroneous to a large extent, and were known to be so by the auditors.

Mr. Edward Evans, the surviving auditor, then brought an action of damages against Mr. John Fraser, for the libel which he asserted was contained in these statements. After a protracted trial, in which the books and accounts were produced in Court, and their correctness investigated, judgment was rendered by His Honor Mr. Justice Johnson on the 31st of May, 1880, maintaining Mr. Evans' action, declaring the statements contained in the petition of Mr. Fraser to be unfounded, and condemning him to pay damages and costs. This judgment was inscribed for revision by Mr. Fraser, and was confirmed by the Court of Review in the same year.

On the 15th of May, 1880, a memorial was presented to the Legislature of Quebec, reiterating the charges made on several previous occasions against the executors and trustees, but no action was taken upon the memorial.

The same charges, complained of by Mr. Beaudry, were reiterated in 1881; among other things, a petition for a Royal Commission.

In February, 1881, the Dominion Parliament passed an Act authorizing the executors and trustees to sue for damages.

Early in April, 1881, the Attorney General of the Province of Quebec made an effort to destroy the accounts, and a proceeding was instituted to that effect, the same as that which was instituted based upon an affidavit sworn by the trustees and executors, and the institution with maladministration. The trustees and executors joined in the petition, and upon every charge made, and every imputation of maladministration, after an investigation of several days; during which the accounts were produced in Court, and were placed in the hands of the heirs' to endeavour to sustain the allegations. Judgment was rendered, and discussed. And the judge, that the irregularities exist in the books and accounts, only in the imagination of the management of the institution; and that the charges against the institution were unfounded, and the complainant, who had

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The same charges which composed the libels complained of by Mr. Evans, and others of a similar description, were reiterated in various forms during the year 1881; among others, in a petition to the Quebec Legislature for a Royal Commission; but remained unnoticed.

In February, 1882, a petition was presented to the Dominion Parliament reiterating previous charges against the executors and trustees, but no action was taken upon it.

Early in April, 1883, the heirs induced the Attorney-General of the Province of Quebec, to authorize a second effort to destroy the institution, to be made in his name; and a proceeding was taken which was nearly *verbatim*, the same as that which had been withdrawn in 1879, and was based upon an affidavit of one of the heirs charging the trustees and executors and the governors of the institution with maladministration of the grossest kind. The governors joined issue with the Government separately upon every charge, and insisted upon a full inquiry into every imputation contained in the information laid. And after an investigation in open Court, which lasted eight days; during which the whole of the books of the estate were produced in the Court, and on three several occasions were placed in the possession of the representative of the heirs' to endeavour to enable him to discover anything to sustain the allegations of his affidavit; a most elaborate judgment was rendered, in which all the charges were discussed. And the result arrived at was, as held by the judge, that the irregular and incorrect entries alleged to exist in the books, and with regard to the cash, existed only in the imagination of the complainant; that the management of the executors had been proper and judicious; and that the delays in the commencement of the institution were attributable to the conduct of the complainant, who had instituted several actions against the

trustees, and had subsequently by new actions, new protests and by petitions to the Legislature, continually embarrassed the action of the trustees and of the Institute. That the Institute had proved the allegations of its plea; and that the grievances of the real plaintiff in the cause, Mr. John Fraser, existed rather in his imagination than in the record. (*Existent plus dans son imagination que dans le dossier.*)

This has proved to be the last effort in the direction of litigation which has been made to embarrass and obstruct the proceedings of the governors, and it is practically only since the date of that judgment, that they have felt themselves in a position to act effectively in furtherance of the object for which they were incorporated.

While these proceedings were going on, only one line of action was open to the governors, namely, to protect the property of the foundation, to administer it at the least possible expense, and to await patiently the termination of the litigation. These objects they have endeavored to attain, and they trust with some measure of success.

The costs of the legal proceedings have been practically paid out of the revenue. The mortgages upon the property have been reduced by about \$8,000. The interest payable upon the balance has been reduced from 8 and 7 per cent. to 6 per cent.; and the debts and legacies have all been paid. The revenue when they took over the estate was insufficient, to pay the charges upon it, while during the last year it amounted to \$5,792.25, showing a net revenue of \$2,340.34, after payment of all charges and annuities. The entire expense of management, exclusive of the proceedings in court, has averaged about \$250 a year, which covers the management and leasing of the farms and properties. There have been no legal expenses connected with the estate, except the actual costs in the suits instituted. But, nevertheless, the injury which the protracted

litigation has caused. The bank has a suitable building which accompanied and it was reduced to Parliament. The was not only valuable a much less figure can scarcely be seen. And the Institute established, and diffusing knowledge remained dormant diminished quantities greatly below the

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litigation has caused to the foundation is almost incalculable. The bank stock, which should have been invested in a suitable building and in books, shared in the depreciation which accompanied the commercial crisis of the last decade, and it was reduced by one-third under the authority of Parliament. The real estate which in 1875 and 1876, was not only valuable, but saleable; represents to-day a much less figure than it would then have produced, and can scarcely be said to be saleable at any price whatever. And the Institute, which might have been advantageously established, and have since been growing and prospering, diffusing knowledge and promoting learning and art, has remained dormant, and now opens with resources in undiminished quantity, but unhappily of marketable value greatly below the prices of 1875 and 1876.

However, as the termination of litigation seemed to be approaching, the governors felt it incumbent upon them to prepare to take some active step towards attaining the object of its founder, and they anxiously looked for the means of opening a library in some form, believing that public support would be obtained as soon as any prospect of success should be manifested.

In December, 1882, the property in which we now are, was offered for sale by auction by the school authorities of the city; and as the site appeared to be thoroughly suited for the purpose, it was thought desirable to make an effort to purchase it. The governors considered that with the net revenue they had reached, they might endeavor to carry out the arrangements which had been long under discussion for the acquisition of the libraries and assets of the Mercantile Library Association; and of the *Institut Canadien*. Their plan was to endeavor to procure the subscription of funds sufficient to purchase the High School property; to put the present High School building in order by fitting it with shelves, and such furniture as would be absolutely essential for the purpose; and then

to complete the proposed arrangements with the Mercantile Library Association and the *Institut Canadien*, and open the contemplated Free Library. They were convinced that a strong feeling existed in Montreal as to the necessity for such an institution ; and they believed that if it could once be opened, and an opportunity afforded for showing its capacity for usefulness ; such assistance as would be needed to make it efficient, would speedily be accorded to it. And they also hoped that an opportunity might offer for the sale of some of the property of the Institute, by means of which its revenue might be so much increased, as to enable its objects to be carried out with some degree of vigor.

The property having been accordingly put up for sale ; in order to secure it for the Institute I became the purchaser of it for \$30,000 and auction charges, and the requisite payment on account of the price, and the charges upon the sale, was made.

A circular was issued to a limited number of friends, soliciting assistance to assume the purchase, and the following amounts have been subscribed for that purpose :--

J. J. C. Abbott	\$4,000
Hon. Judge Torrance.....	1,000
D. Morrice.....	1,000
Geo. W. Stephens	1,000
Peter Redpath	1,000
Hugh McLennan.....	1,000
Wm. C. MacDonald.....	1,000
R. B. Angus	1,000
Thos. Workman	1,000
George Hague.....	250
O. S. Wood.....	250
Hutchison & Steele	250
Chas. Cushing	250
Making a total of.....	\$13,000

But the effort stopped, by the Government of Quebec have neither called nor pressed their assistance. The Free Library as an occasion on which the position of extending its use with that object.

The preparations continued ; the first rear of it were the expense of about of about \$1,200 was fitted with repaired, a system and various details in which you no Mercantile Library transfer of their was effected. The were resumed, a for the reception amount of money arrangement was a proceeding for *Institut* who were proceedings are governors have *Institut Canadien*, ing a judgment see is, therefore, cantile Library.

plemented by about 750 volumes, the gifts of individuals. A valuable donation of pictures has been made by the Honorable Mr. Justice MacKay and Mrs. MacKay, but these pictures are not available until a suitable place for them can be prepared, and this I fear is not possible in the present condition of this building. Negotiations with the Natural History Society for its museum had at one time made some progress, but I have some reason to believe that these negotiations are not likely to have a successful issue.

I have thus endeavored to sketch the history of the bequest and its trials, and the efforts we have made to establish the Institute. The position in which it now stands may be very shortly stated:—It possesses bank stock to the cash value of about \$16,000; it has real property composed of a valuable building lot, fronting on St. Sacramento, St. Alexis and St. Peter Streets, and the governors are erecting a building on it, by means of which they hope to realize a net revenue equivalent to the interest of the value of the land. And it owns upon the Lower Lachine road three valuable farms, containing in all about 740 acres, a small portion of one of them having been expropriated for the city aqueduct. The mortgages due in respect of these properties are now reduced to about \$29,000. The value of the properties has been variously estimated, but I think I am not far wrong in assuming them to be now worth from \$125,000 to \$150,000, and I shall hope that the construction of contemplated improvements below Lachine, will considerably increase their value.

These assets constitute the foundation derived from Mr. Fraser, and they are charged with the mortgages already referred to; with an annuity in favor of Mr. Alexander Fraser of \$1,000 a year; and of course with the usual expenses of taxes, insurance, etc. The net revenue from

these assets may be about \$10,000 a year, after paying the interest on the buildings in St. Louis, and the cost of that this revenue

Independent of the corporation holds a large amount of property, with a net revenue of \$30,600, and the cost of the house in the city is \$7,000. The income of the funds derived from the sale of a portion of the property of the Institute applied to the house in the city is \$1,900 a year, and the cost of the house in the city is thus reduced to \$5,100 exclusive of taxes. It is to be understood, for the net revenue of about \$10,000 which will amount to \$11,900 a year. With this staff we possess a large amount of further expenditure, but perhaps a trifle in excess of what we shall endeavor to do.

You see, the foundation consists of, what we are employing for the best site for a valuable property, and the future of the Museum is largely dependent upon our present income under these circumstances.

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ation derived from Mr. the mortgages already favor of Mr. Alexander course with the usual The net revenue from

these assets may be stated in round numbers at \$2,750 a year, after payment of all annual charges, and if the new buildings in St. Peter street prove successful, it is hoped that this revenue will be materially increased.

Independent of, and aside from the foundation, the corporation holds the property in which we now are. This property, with the improvements made upon it, costs the corporation about \$38,000, namely, the original cost of \$30,600, and the improvements on the main building and the house in the rear, amounting in all to a little over \$7,000. The interest upon this cost after deduction of the funds derived from the Mercantile Library Association, and of a portion of the revenue and other funds of the Institute applied to improvements, will amount to about \$1,900 a year, from which is to be deducted the rental of the house in rear, and of the lower story of the building, thus reducing the annual cost to about \$800 a year, exclusive of taxes, insurance, and the like. We therefore stand, for the rooms occupied by the books at present, at a rental of about \$800 a year, with taxes and insurance, which will amount to about \$400 more, or in all \$1,200 a year. With the greatest economy, and with the small staff we possess, we hope to keep the doors open for a further expenditure of about \$1,800 a year, which is perhaps a trifle in excess of our actual nett income, but we shall endeavor to keep within it if possible.

You see, therefore, how we stand, what our property consists of, what our revenue amounts to, and how we are employing it. We have, I venture to think, the best site for a library in the city. We have valuable property, which, being as I am a believer in the future of Montreal, I am satisfied must sooner or later largely swell our revenue. We can exist upon our present income; and we present for your free use under these circumstances these modest rooms, this eco-

nomical furniture, and about 15,000 volumes of books—of which I may say the French portion constitutes a very admirable collection, and the English section, though not so complete, forms a valuable and useful nucleus for an English library. To this I may add, that, as in the case of the Institut Canadien books, we have the possession for the present, with the hope of future proprietorship, of a large collection of instructive prints, mainly of classical and architectural subjects; and a collection of about forty paintings, carefully selected by Mr. Justice Mackay and Mrs. Mackay on the continent of Europe, which we shall receive when we have provided a suitable room for them.

This, I venture to think, forms a commencement more important and more extensive, than that of some other institutions of a similar class which now stand among the finest literary, scientific, and artistic, institutions in the world. But no such result can be expected for the Fraser Institute if it is content merely to exist. Nothing but persistent and continuous effort, will elevate it to a stature worthy of the community which it is intended to benefit. The Governors have now done all in their power to give the Institute standing ground in that community. They have strained their present resources to the utmost in the effort required to do so; and they have succeeded, mainly by the help of two kindred societies, controlled by single-minded men of large views, who combined their influence and their services, without one selfish thought, to assist in creating a germ, from which both they and the governors hope, an institution may grow, which will be a permanently active and useful element in the intellectual life of Montreal. Its citizens must never forget, that to Mr. Joseph Doutre and the Institut Canadien, and to Mr. Frederick Matthews, Mr. Theodore Lyman, and the Mercantile Library Association, they owe that help beyond all price—help at the critical moment; without which

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the difficulties in opening their Free Library might not even yet have been overcome.

But while stating, in general terms, the necessity for continuous action, the Board holds no uncertain view as to the mode in which the object we all desire, of having a free library on a large and comprehensive scale, may be attained; and the other objects of the bequest, namely, scientific and artistic culture, may also receive due attention. The first thing to be done is, if possible, to free the institution from debt. I do not refer to the small mortgages upon the real estate, as these are matters incidental to the property itself, and will be got rid of when the property is sold. I refer to the debt on the building and property which is to be the site of the future Institute. It is most important that, if possible, the price of this property should be paid, and this result could be attained by a very small sacrifice by those who are friends of education and culture. The subscription already made reaches nearly one-half the sum required to pay the price, and for that purpose a further subscription of \$17,000 will suffice. The effect of this payment would be to increase the net revenue by about \$1000 a year. A very moderate amount expended on modern works of history, biography and travels, with a small collection of the best standard literature of a lighter character, would place the book department of the library in a position so advantageous, that a moderate annual expenditure afterwards, would suffice to fit it for an extended sphere of usefulness. And although, with the existing staff and outlay it is impossible to lend books out of the library; and moreover the collection as it stands is not sufficiently complete to give it proper value as a lending library; both these difficulties could be overcome if the building were relieved of the burden upon it. By the payment of the price of the building, therefore, the

expenditure of a moderate sum for immediate expenditure on books would become possible, and those suitable for circulation could be lent for use out of the building.

But while thus suggesting the assistance which they need, in the interest of the citizens generally, the governors have felt that at this stage of the existence of the Institute, objections, possessing a certain degree of plausibility, may be made to aid being granted to it; in fact, some such objections have already been suggested to them. It has been said, for instance, that the Fraser Institute, being a private foundation, is known and described by the name of an individual; and that persons may properly hesitate before contributing to the increase and prosperity of an institution, which seems to claim for its founder, all the credit of its progress. But I venture to think that this objection is one easily answered. The foundation which Mr. Fraser provided, exceeds very largely any contribution which is expected from individuals. It is to that provision that the institution, such as it is, owes its origin and existence. The custom of naming an institution after its founder, is one which the practice of centuries has sanctioned and justified; and institutions which are held in the highest veneration owe their origin to individuals, and bear their names.

The Smithsonian Institute is a world-known and world-renowned scientific institution, which has been thought worthy not only of individual contribution, but finally of being mainly sustained and supported at the expense of the State; yet I believe it has never been suggested that that institution was unworthy of either individual or public support, because it bore the name of its founder. In our own city, one of its successful merchants endowed a university with property and funds much less valuable than those with which Mr. Fraser endowed the Fraser Institute, yet I have never heard that the numerous muni-

ficent benefactor refused to assist it with reluctance of McGill. It instances where and women have good, and when adopted, not only nomenclature for memorated the however, this of I think those f reflection.

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ficent benefactors of our University have contributed to it with reluctance; or that any of our wealthy men have refused to assist it; because it bears the honored name of McGill. It would be easy to multiply indefinitely instances where large-minded and public-spirited men and women have bequeathed their wealth for the public good, and where the community they benefited have adopted, not only without reluctance, but with pride, a nomenclature for the institutions they founded, which commemorated the existence of their benefactors. Probably, however, this objection would not occur to many, and I think those few would discard it, after a moment's reflection.

It has been suggested also that the corporation is a close corporation, and that the public who are asked to aid it, would have no voice in its management; and therefore no certainty that the assistance they might render, would be effectively used in the promotion of the intended objects. This also is a remark which applies to many, if not most benevolent institutions. A corporation for the purpose of trade or commerce has members who contribute its capital, and these members naturally control its operations. An institution of this description has no shareholders, and therefore no constituency to supervise and regulate its management. But it is indisputable that such an institution is less liable to abuse, if those who feel an interest in its success, assist in its direction; and the Board have provided a mode in which this result may be attained.

The charter of the Institute authorises the governors to make by-laws for its government, and under this power they have enacted and passed a series of by-laws forming the constitution of the Institute, which in a large degree admit at once, the contributors in aid of its objects, to a share in the management of its affairs; and so regu-

late the election of governors, that the Board will ultimately be composed exclusively of persons who have contributed towards the support of the institution. By these by-laws an executive committee has been constituted, of which a subscriber of \$1000 and upwards becomes, by that subscription, a life member; and the representative of any corporation granting aid to the institution to a similar extent, will occupy a similar position. When the number of persons entitled to be members of the Executive Committee shall exceed fifteen, they will elect from among themselves a committee of nine to perform their functions; and when a vacancy occurs in the Board of Governors, such vacancy must be filled from among the persons entitled to be members of the Executive Committee. Those who contribute to the funds of the Institute will therefore take an active part in the management of its affairs, and the governors will ultimately be composed of such contributors. By these means the governors believe, they have provided in an advantageous manner for the government of the Institute by those who have proved their interest in its success by subscribing to its endowment; and they consider that they have removed any possibility of objection, on the ground of exclusiveness in the management.

In this connection there is one more remark I should wish to make.

The desire to benefit the community, in the direction contemplated by this institution, has always largely pervaded the citizens of Montreal. There is scarcely a branch of literary or scientific research, which has not a nucleus of earnest workers; and art also has its societies and associations. Many of these may be fettered and cramped in their labors by difficulty in providing rooms, attendance, and the like: the interest to which they owed their origin may flag: prominent members may

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remove from the city; and from such causes, or others of a similar character, at some time or other, a crisis arrives which may or may not be successfully traversed. The remedy for this difficulty appears to me to be combination. It is to the principle of combination that we are indebted for the modest commencement we are making to-night. By that principle we may reach incalculably greater results. There is no literary study, or exercise, no scientific research or experiment, no artistic effort or development, which is foreign to our design,—and to all such we tender accommodation and coöperation. Every organization in those directions, however limited, represents strength in a greater or less degree; and their combination represents force, more or less irresistible. But while we seek, by combination, to concentrate the energy of literary and artistic organizations, it must not be forgotten that we also offer representation. We ask every contributor who helps the good work forward, to join in the management of his contribution, to take a seat with us at our Executive Board, and to hold himself ready to fill a vacancy among our governors.

In conclusion I may say, that in laboring for the establishment of a free library, the governors have merely performed their simple duty; and in pursuance of that duty, they have felt bound to point out to the public, the means which seem to them calculated to give the Free Library an extensive career of usefulness. As I have stated, they see their way to the material improvement of the library, and to its extension into a lending library, if only the debt incurred in the purchase of this building be paid off. And a moderate contribution for additions to the collection of books, would also be of immeasurable advantage.

It is to this well defined and intelligible point that

they are at this moment disposed to confine their endeavors; and to this extent, they trust they may rely upon the coöperation of their fellow-citizens. They could not, however, in justice to themselves, affect to restrict their ultimate object within so limited a sphere. They desire to see the Fraser Institute become what its founder intended and what it is for the interest of the city it should be—a FREE LIBRARY, MUSEUM and GALLERY OF ART, open to all honest and respectable persons of every class without distinction of race or creed; and that it should comprise literary, scientific and artistic collections, which would afford means for culture, improvement, and innocent and rational amusement, to the entire population of the city. And they desire that its architectural habitation and adornment, should be no less worthy of a generous and intellectual population, than its literary, scientific, and artistic, contents. They believe that the material attractions of a city life, which possess too much fascination for the young, may be most successfully counteracted by the possession of a place of resort, in which not only the refined and intellectual members of the community may find instruction and pleasure; but where also, those whose limited opportunities have prevented their attaining the same degree of culture, may find sources of relaxation and improvement, which will tend to elevate them to the standard of their more favored fellow-citizens. But it is by degrees only that the institution can reach the dignified and elevated position which their ambition would indicate for it, and they trust that they will soon be enabled to take the next step in its material progress.

During the delivery of the address the Hon. President was frequently applauded.

The President then invited the Hon. Mr. Justice Torrance, one of the Governors of the Institute, to address the meeting.

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The Hon. Judge, who was cordially received, said :—

There have been delays here, but, as the narrative you have just listened to discloses, these delays have been unavoidable. It would appear as if it were hardly possible for a man to devote his estate or a considerable portion of it to purposes of benevolence, without his motives, his intentions, his wisdom, or his sanity, being called in question, by persons who would much prefer that the estate should be diverted from the public, and placed in their own pockets. Those who have been in the city of Philadelphia remember the stately marble palace there erected by the munificence of Stephen Girard, for the maintenance and education of the young. Girard died in 1831; his bequest for this purpose of over \$2,000,000 was disputed by collateral heirs, and it was not till 1854 that the Supreme Court of the United States ended the litigation in favour of the bequest, by confirming the judgments of the lower courts. A case nearer home is that of our McGill University. James McGill died in 1813. The collateral heirs contested the will, and the suits only terminated in 1828, when the Privy Council of England confirmed the will, and the judgments of the lower courts. The college was opened in 1843, but its real prosperity dates from the advent here of the present Principal, Sir J. William Dawson. The estate was valued originally at \$40,000 in money and the farm of Burnside, and now its assets are over \$1,000,000, from the sale of land, and the gifts of generous friends. The Fraser Institute may have small beginnings, but it has a noble future before it. We, as trustees, are proud of the sympathy of liberal-minded and far-seeing friends. We have had for several years the gift of Mr. Justice Mackay and his wife, of 38 valuable paintings for our Art Gallery. We have the gift of the Mercantile Library, numbering about 5,000 volumes, and \$5,000 in money. We are the custodians of the books of

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the Canadian Institute, numbering about 10,000 volumes, also valuable engravings from France, the gift to the Canadian Institute of Prince Jerome Bonaparte; and we have from this Institute a yearly sum of \$180 to be laid out in French books. We are deeply indebted to the learned President of the Canadian Institute, Joseph Doutre, Q.C., for generous sympathy and co-operation. It becomes me here to say a word in testimony of the arduous labors of J. J. C. Abbott, our President, since his friend Hugh Fraser, placed in the hands of the trustees of his estate, the execution of his last wish that the citizens of Montreal should have a free library without distinction of race or religion. I remember well Mr. Abbott's voyage to England to support the appeal to the Privy Council, to say nothing of the expenditure of precious time and money to carry out the wishes of the deceased.

Our beginnings might have been smaller, and should not be despised. The city of Boston has the largest free library on this continent—over 200,000 volumes. It began about 1840 with a gift of books from the municipality of Paris, in France. A room was assigned to the gift. Then two rooms were set aside as the beginning of the library. Then came a gift of \$50,000 in money from Joshua Bates, of the firm of Baring Brothers, of London, an old citizen of Boston, and another gift from him of another \$50,000 in books. Then came the construction of the Free Library Building of Boston, by the city corporation, at a cost of over \$360,000 in gold in 1858. This library has been supported by the corporation of that city at an expense of over \$30,000 per annum, on the principle that a supply of sound reading matter to the people is a necessary part of the education which the State owes to the nation.

In England and Scotland for many years, the citizens of numerous towns have chosen to be taxed to this end.

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Birmingham, Manchester, Liverpool, Oxford, are instances, and the self-denial of the citizens has been supplemented and encouraged by princely gifts from their fellow-citizens.

A free library is so far a novelty in Canada. Toronto has had her free library for two years, supported by a tax upon the ratepayers. We cannot, I presume, imitate them here, but we have generous citizens who have given many generous gifts in the past, and we know that they will not forget to help in divers ways, the free library of Montreal. A city journal remarked the other day that a free library must be a circulating library. This is not necessarily the case. The great free library at New York (the Astor Library) does not circulate books, though it is of inestimable value to the citizens, and much resorted to. The whole number of volumes in the Astor Library, New York, on December 31, 1884, was 214,638. The fund for the maintenance of the library is \$410,000 and the endowment fund amounts to \$1,388,607.03. The income of the library during the past year was \$23,728.92. Additions by purchase and donations have been made to the extent of 6,209 volumes, exclusive of pamphlets. *No book can be removed from the building.* It is largely used by professional and literary men, scholars, and students, for reference, and the great rooms are always crowded with male and female readers.

Books of reference are of immense utility, and are peculiarly suitable to a public library, because they are often too costly to be owned by individuals, and they must always be in their places to be referred to when called for. The trustees and committee of management of the Fraser Institute will, I have no doubt, aim at having both a circulating library and a library of reference, but the extent to which the wants of the public are supplied will depend much upon the liberality of the friends of the library in this direction.

The Hon. Mr. Justice Torrance was warmly applauded at the conclusion of his address.

On the suggestion of the President, Mr. Peter Redpath, another of the Governors, then addressed the meeting. He said that it afforded him the greatest possible pleasure to take part in such an auspicious event in the educational history of Montreal, as the opening of the Fraser Institute. He was also thankful that he had the present opportunity of congratulating the Hon. Mr. Abbott, their worthy President, on the zeal, the ability, and the energy, displayed by him in carrying out through many troubles, the spirit of the bequest of the late Mr. Fraser to such a successful issue, as all present witnessed that evening. To Mr. Abbott's devotedness Montreal was chiefly indebted for the Fraser Institute, which he believed would prove to be the nucleus of a great and useful Free Library in Montreal. (Applause.)

Mr. Thomas Workman, the only other Governor present, was then requested by the President to address the meeting. He said :

He was happy to be able to corroborate all the last speaker had said regarding Mr. Abbott's devotion in this matter. He, in conjunction with Mr. Redpath, had only been auxiliaries in the work, and they gladly assumed the responsibility of it. He gave his best wishes for the success of this deserving institution, and hoped that it would receive all the encouragement it deserved. The Institution was bound to become an important educational agency, and he had reason to believe that the liberality of the citizens would be such, that the debt would soon be paid off. In conclusion, he said that in after years the efforts which the Hon. Mr. Abbott had devoted to the work of establishing it, would be enumerated amongst the great benefits conferred on the city, (Applause.)

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in reply to an invitation from the President, also addressed the meeting. He said that ever since he had come to Montreal it was one of his first wishes to see a Free Library established in the city. Without a Free Library Montreal could not hope to keep up, in the march of progress, with the leading cities of civilized nations. The Fraser Institute, which was that evening inaugurated, was the first step towards the establishment of the Free Library, and it remained with the citizens to build upon the foundation now laid, a splendid institution. A city such as Montreal, needed an institution of this kind, and the opening of the Fraser Institute Public Library, would be hailed with delight. He sincerely hoped that outside help would not be wanting to the governors, to place the Institution in good financial standing. He congratulated the trustees on the energy they had shown in carrying out the will of the late Hugh Fraser to a successful issue. He had always believed that the public should be given due representation, and he must say that the plan adopted by the Governors, of giving to benefactors of the Institute, a voice in its management; was a fair and just expedient, and should be satisfactory to the public. He was bound to say that the President had made out his case, and that his appeal for assistance should meet with a liberal response. The success and prosperity of the Institute had his very best wishes. (Applause.)

Mr. Justice Jette stated humorously that as the Fraser Institute had needed judgments in the past, it might need more in the future, and consequently he would not compromise himself, but however, he could be permitted to express his heartfelt wishes for the success of the Institute. Speaking for the French-Canadian part of the population, he could state that the Institution had all their sympathies.

Mr. Justice Mathieu, in French, said that during the

time he had been a member of the Quebec Legislature, he had had occasion to see the other side of the story in connection with this Institute, but now he was glad to be given an opportunity of witnessing its higher side. He sincerely complimented the trustees on the devotion they had shown, and said they had rendered society a signal service. He hoped all nationalities would unite on this question, and so secure for all an intellectual success.

Mr. Hugh McLennan felt that Montreal had long wanted an institution of the kind which had proved of such benefit to the greatest cities. He believed it was an inestimable boon to the present generation, and its influence would be felt in coming generations. He hoped the Library would meet with such help and encouragement, as would enable it to become a circulating library, and he felt certain that citizens could not do a better deed than give it their hearty support. (Applause.)

Mr. Justice Mackay said he had been favorably impressed with the excellent, and, indeed able, report made by Mr. Abbott, of the standing of the Institute. He considered the opening of the Library as an intellectual awakening which could not but be of great benefit to the city. He felt in this respect that citizens who wanted to do so, should make gifts during their lifetime, and thus preclude the possibility of the litigation which almost always ensued after the death of the testator, as had been the case in this instance, and in that of McGill University. The utility of the Institution would be greatly increased when it would be made a circulating library, and he hoped that time would soon come. He said that the works of art he had given to the Library were ready at any time the Governors wished to take them away, and he trusted that other citizens who had the welfare of the city at heart, would follow his example in making donations. (Applause.)

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The Rev. Principal MacVicar promised to do all in his power to aid in the progress of the Fraser Institute towards the end they all wished to see it achieve, and to render it, as far as he could, popular with the citizens. (Applause.)

Rev. Mr. Larose, as a former director of L'Institut Canadien, expressed his gratification at seeing the books in such an excellent place as the Fraser Institute.

Prof. Coussirat, in French, suggested, that as the Minister of Public Instruction of France had promised a collection of books for McGill University, an application should be made for a collection for this library.

The President said the idea was a good one. The French Academy had already given them the reports of their meetings for the past 85 years, and they were now being bound. He hoped to be able to obtain many valuable contributions of that description from literary and scientific associations throughout the world.

Mr. Henry Lyman expressed his pleasure at being present, and his heartiest wishes for the success of the library.

Lieut.-Col. Lyman, as a member of the Mercantile Library Association, said he well remembered when, in 1840, seven citizens had gathered to lay the foundations of that institution. He considered the site selected for this library an excellent one, and hoped that the time would soon come when it would occupy the whole square.

The President then called upon Mayor Beaugrand, as the representative of the citizens, to declare the library opened to the public.

The Mayor said that the duty the President now asked him to perform, was one of the most pleasant that had devolved upon him since he assumed office. Coming after war, pestilence, floods and riots, it was refreshing to find that he could officiate at a ceremony which was of

such genuine benefit to the citizens, as the opening of the Fraser Institute. He trusted that Montreal would soon have a splendid free library, of which the Institute was the foundation. He considered that the library was destined to do a great deal of good. The idea of having both French and English books was an excellent one, and would have a tendency to bring both nationalities together. The collection of the Institut Canadien was an excellent one, and many hours had he spent in former years in perusing its treasures. Montreal had long needed a public library, and all should feel proud that this one was so successfully inaugurated. Probably the great success of the New England States was due in a large measure to the fact, that almost every hamlet possessed its free library. He hoped that it would be hailed with delight by all, and would in a certain measure tend to a stronger union between the two races. Pointing to the French and English volumes, His Honor referred to the feelings of unanimity which, in time of war between the two great nations, prompted the authors of those works; and he trusted that the example of those learned men would be followed by the citizens of Montreal—English, Irish, Scotch and French—and that there would be no more heard about distinctions of race and creed, but that all should unite to promote the welfare of Montreal and of Canada. (Applause.)

He then declared the Institute open to the public.

The proceedings then terminated.