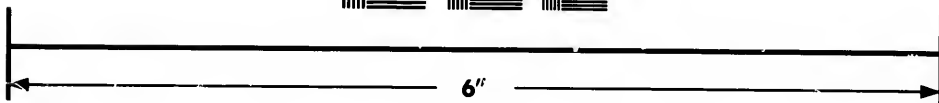
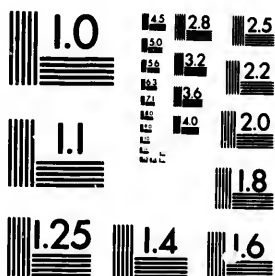


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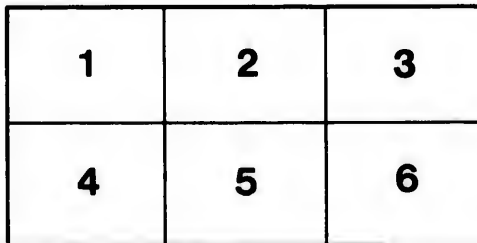
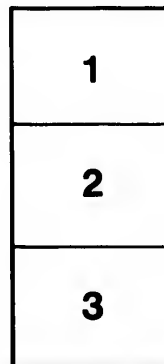
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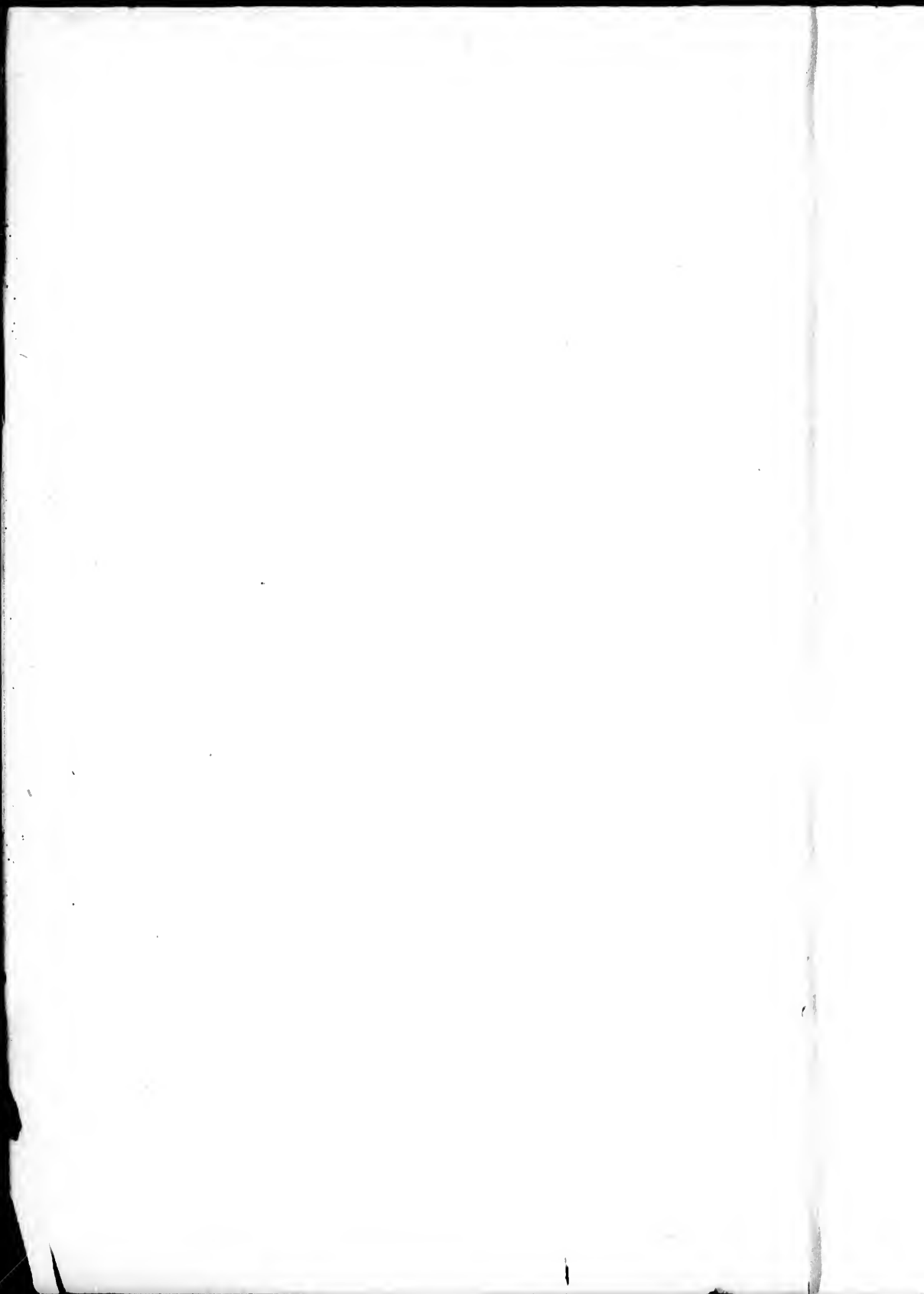
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E X T R A C T

FROM THE

WILL OF THE LATE HON. JAMES M<sup>c</sup>GILL,

WITH THE

Charter of the University of McGill College,

ITS

STATUTES, RULES, REGULATIONS, ETC.

AND

THE ADDRESS,

DELIVERED BY THE PRINCIPAL, ON THE OCCASION OF  
THE OPENING OF THAT INSTITUTION,

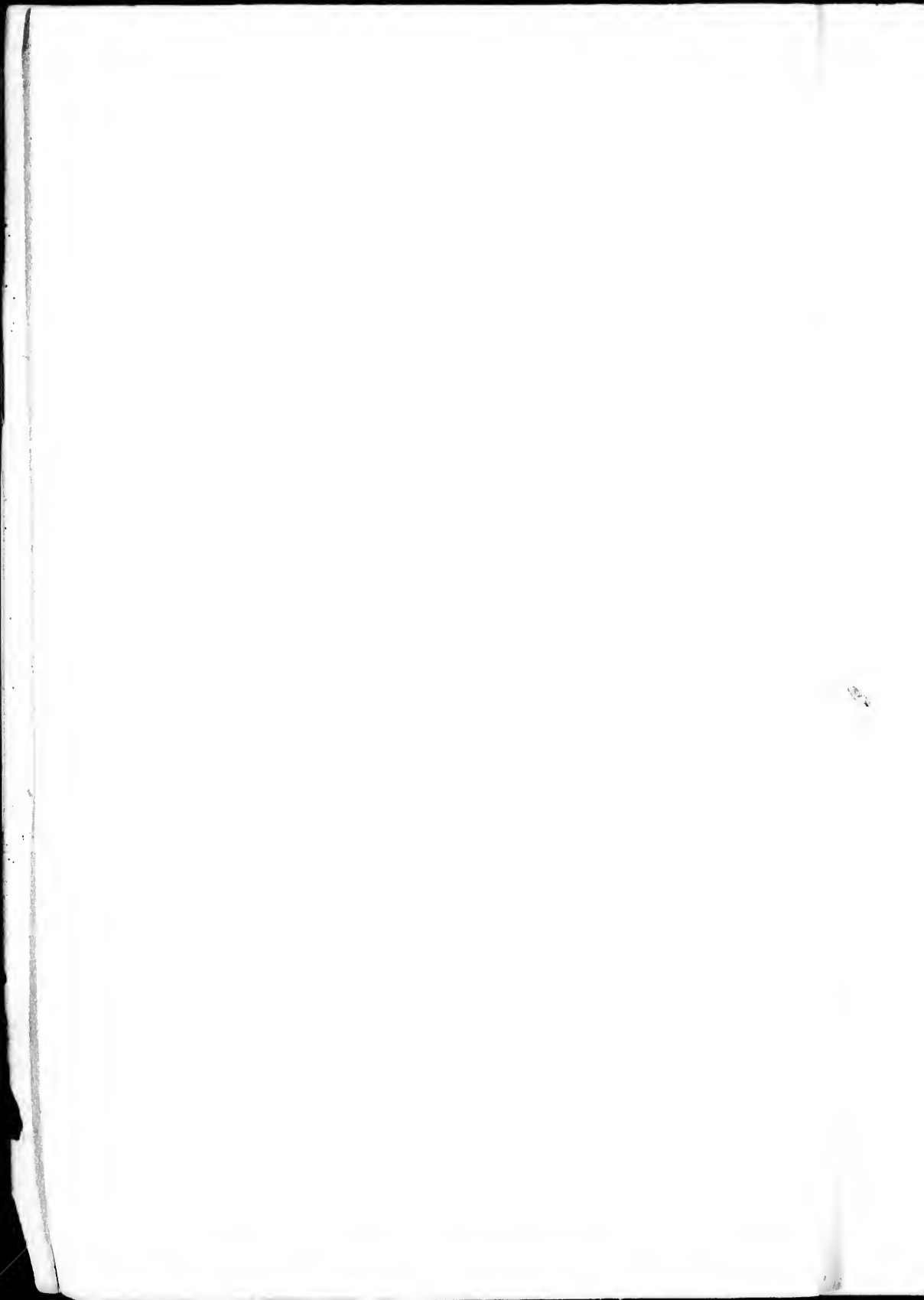
SIXTH SEPTEMBER, 1843.



**Montreal :**

PRINTED BY LOVELL AND GIBSON, ST. NICHOLAS STREET.

1843.



# E X T R A C T

FROM THE

## WILL OF THE LATE HON. JAMES M<sup>C</sup>GILL.

---

I GIVE and devise all that tract or parcel of land, commonly called Burnside, situated near the City of Montreal aforesaid, containing about forty-six acres, including an acre of land purchased by me from one Sanscrainte, together with the dwelling house and other buildings thereon erected, with their appurtenances, unto the Honorable John Richardson and James Reid, of the City of Montreal, aforesaid, Esquires, the Reverend John Strachan, Rector of Cornwall, in Upper Canada, and James Dunlop, of the said City of Montreal, Esquire, and to their heirs, to, upon, and for, the uses, trusts, intents, and purposes, and with, and subject to, the provisoes, conditions, and limitations, hereinafter mentioned and expressed, of and concerning the same, that is to say, upon trust that they the said John Richardson, James Reid, John Strachan, and James Dunlop, or the survivors or survivor of them, or the heirs, executors, or curators, of such survivors or survivor, do and shall, as soon as it conveniently can be done after my decease, by a good and sufficient conveyance and assurance, convey and assure the said last mentioned tract or parcel of land, dwelling house, buildings and premises, to the Royal Institution for the advancement of Learning, constituted and established, or to be constituted and established, under and by virtue of an Act of the Parliament of the Province of Lower Canada, made and passed in the forty-first year of His Majesty's Reign, intituled "An Act



for the establishment of Free Schools and the advancement of Learning in this Province"—upon and under the conditions, restrictions, and limitations, and to and for the ends, intents, and purposes following, that is to say, upon condition that the said "Royal Institution for the advancement of Learning" do and shall, within the space of ten years to be accounted from the time of my decease, erect and establish, or cause to be erected and established, upon the said last mentioned tract or parcel of land, an University or College, for the purposes of education, and the advancement of learning in this Province, with a competent number of Professors and Teachers, to render such establishment effectual and beneficial for the purposes intended, and if the said "Royal Institution for the advancement of Learning" should so erect and establish, or cause to be erected and established, an University, then, upon condition, also, that one of the Colleges, to be comprised in the said University, shall be named, and perpetually be known and distinguished, by the appellation of "McGill College;" and if the said "Royal Institution for the advancement of Learning," should not so erect and establish, or cause to be erected and established, an University, but should erect and establish, or cause to be erected and established, a College only, then upon the further conditions, that the said College shall be named, and perpetually be known and distinguished, by the appellation of "McGill College;" and upon condition also, that until such University or College be erected and established, the said "Royal Institution for the advancement of Learning" do and shall permit and suffer my said wife, and in case of her death, the said Francis DesRivières, to hold, possess and enjoy, the said last mentioned tract or parcel of land, dwelling house, buildings and premises, and to recover, have and receive, all and every, the rents, issues and profits thereof, to and for, her and his use and benefit; and upon this other and further express condition, that if the said "Royal Institution for the advancement of Learning" should neglect to erect and establish, or cause to be erected and established, such University or College as aforesaid, in manner aforesaid, within the said space of ten years, to be accounted from the time of my decease, then, and in such case, the said conveyance and assurance

so made to the said "Royal Institution for the advancement of Learning" shall, from and after the expiration of the said space of ten years, become and be, absolutely null and void, and all and every the estate, right, title and interest of the said "Royal Institution for the advancement of Learning," of, in, and to, the said last mentioned tract or parcel of land and premises, shall cease and be determined, and be as completely extinguished, as if such conveyance and assurance had never been made or executed: All which conditions, restrictions, and limitations, shall, in apt and sufficient language, be fully expressed in such conveyance and assurance. And upon trust that the said John Richardson, James Reid, John Strachan, and James Dunlop, or the survivors or survivor of them, or the heirs, executors or curators of such survivors or survivor of them, do and shall permit and suffer my said wife, or in case of her death, the said Francis DesRivières to hold, possess and enjoy, the said tract or parcel of land, dwelling house, buildings and premises, and receive, have, and receive, the rents, issues and profits thereof until the making and executing of the said conveyance and assurance, so as aforesaid to be made to the said "Royal Institution for the advancement of Learning," and if the said "Royal Institution for the advancement of Learning" should refuse to accept and receive, the said conveyance and assurance of the said last mentioned tract or parcel of land and premises, upon the conditions, restrictions and limitations, herein before expressed and directed, of and concerning the same, or should after the making and accepting of the said conveyance and assurance, neglect to erect and establish, or cause to be erected and established, such University or College as aforesaid, in manner aforesaid, within the said space of ten years, to be accounted from the time of my decease, or if from any legal cause, matter or thing, the said trust, so as aforesaid to convey and assure the said last mentioned tract or parcel of land and premises to the said Royal Institution for the advancement of Learning, in the manner herein before directed, should be incapable of being accomplished or carried into effect, or otherwise become, or be, or be deemed, or construed, to be invalid, illegal, or inoperative, then, and in either or any of those cases, upon trust, that they, the said John Richardson, James Reid, John Strachan,

and James Dunlop, or the survivors or survivor of them, or the heirs, executors or curators of such survivors or survivor, do and shall, from and immediately after the expiration of the said space of ten years, by a good and sufficient conveyance and assurance, convey and assure the said last mentioned tract or parcel of land, dwelling house, buildings and premises to the said Francis DesRivières, (if then living,) and to his heirs and assigns for ever, or if the said Francis DesRivières should be dead, then to the legal heirs then living, and to their heirs and assigns for ever.

I give and bequeath, from and out of the rest and residue of my estates, real and personal, moveable and immoveable, which shall and may remain after the fulfilment and satisfaction of the several legacies in this my Will contained, the sum of *ten thousand pounds*, current money of the said Province of Lower Canada, to the said John Richardson, James Reid, John Strachan, and James Dunlop, *their heirs, executors, or curators*, upon the trust, and to and for the intents and purposes, and upon the conditions following, that is to say, upon trust : that they, the said John Richardson, James Reid, John Strachan, and James Dunlop, or the survivors or survivor of them, or the heirs, executors and curators of such survivors, do and shall pay the said sum of ten thousand pounds (with the interest to accrue thereon from and after the expiration of three years from my decease) to the said "Royal Institution for the advancement of Learning," when and so soon as the said "Royal Institution for the advancement of Learning" shall have erected and established, or cause to be erected and established, an University or College upon the last mentioned tract or parcel of land, herein before directed to be conveyed to the said "Royal Institution for the advancement of Learning," in manner aforesaid, *to be* by the said "Royal Institution for the advancement of Learning" *paid and applied towards defraying the expense incurred in establishing the said University or College*, and towards maintaining the same after it shall have been erected and established, in such manner and form, and under such regulations as the said "Royal Institution for the advancement of Learning" shall in this behalf prescribe. Provided always, that such University or College be

erected and established within the space of ten years, to be accounted from the time of my decease: and if such University or College should not be so erected and established within the said space of ten years, then upon trust that they, the said John Richardson, James Reid, John Strachan, and James Dunlop, or the survivors or survivor of them, or the heirs, executors, or curators of such survivor, from and immediately after the said expiration of the said space of ten years, do and shall pay the said sum of ten thousand pounds, with all and every the interest accrued thereon, to the said Francis DesRivières, if then living, to and for his use and benefit, or if dead, then to his legal heirs then living, to and for their use and benefit.

of them, or the survivor, do n of the said vance and as- ned tract or es to the said s and assigns e dead, then l assigns for

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# CHARTER OF M<sup>C</sup>GILL COLLEGE.

*George the Fourth, by the Grace of God, of the United Kingdom  
of Great Britain and Ireland, King, Defender of the Faith.*

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS, the Honorable JAMES MCGILL, late of the City of Montreal, in the Province of Lower Canada, now deceased, by his last will and testament, bearing date at Montreal, the eighth day of January, in the year of our Lord one thousand eight hundred and eleven, did give and bequeath a certain tract of land near the said City of Montreal, with the dwelling house and other buildings thereon erected, to Trustees in trust to convey and assure the same to the Royal Institution for the advancement of learning, established by virtue of an Act of the Provincial Parliament of Lower Canada, made and passed in the 41st year of the reign of His late Majesty, intituled "An Act for the establishment of Free Schools and the advancement of Learning in this Province," upon condition that the said Institution should, within ten years from the decease of the said James McGill, erect and establish, or cause to be erected and established upon the said land, an University or College, for the purposes of education and the advancement of learning in the said Province, with a competent number of Professors and Teachers to render such establishment effectual and beneficial for the purpose intended, and also upon condition that one of the Colleges to be comprised in the said University should be called "McGill College." And whereas the said James McGill, Esq., by his said will, did further give and bequeath to the said Trustees, the sum of £10,000 in trust, to pay the same with interest to accrue thereon

Date of Hon. James McGill's Will.

Tract of Land devised to Trustees in trust, to be conveyed to the Royal Institution for the advancement of Learning.

£10,000 bequeathed to Trustees in

trust, to be from and after the expiration of three years from his de-  
 paid with in- crease to the said Royal Institution for the advancement  
 terest to the of Learning, to be applied as soon as the said Institution  
 Royal Insti- should have erected an University or College on the  
 tution for the advancement of Learning. said land, towards defraying the expenses thereby  
 the advance- incurred and towards maintaining the said University  
 ment of Learning. or College so erected and established. And whereas

Petition of we have been humbly petitioned by the said "Royal  
 the Royal In- stitution for the advancement of Learning," that we  
 a Royal Charter would be pleased to grant our Royal Charter for the  
 more perfect crection and establishment of the said  
 College, and for incorporating the members thereof for  
 the purposes aforesaid, and for such further endowment  
 thereof, as to us should seem meet, we, having taken  
 the premises into our Royal consideration, and being  
 desirous that an University or College should be  
 established for the education of youth in the principles  
 of true Religion, and for their instruction in the diffe-  
 rent branches of science and literature, are willing to  
 comply with the prayer of the said petition, and to  
 afford every assistance towards carrying the intentions  
 of the said James McGill into execution.

The peti-  
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 complying  
 therewith.

Therefore, know ye that we, of our especial grace,  
 certain knowledge and mere motion have willed, ordained  
 and granted, and do by these presents for us, our heirs and  
 successors, will, ordain, and grant, that upon the said land  
 and in the said buildings thereon erected, or to be erected,  
 there shall be established from this time one College at  
 the least for the education of youth and students in the  
 arts and faculties, to continue for ever, and that the first  
 College to be erected thereon shall be called "McGill  
 College," and that our trusty and well beloved, the  
 Governor of Lower Canada; Lieutenant Governor of  
 Lower Canada; Lieutenant Governor of Upper Canada;  
 the Bishop of Quebec; the Chief Justice of Montreal;  
 and the Chief Justice of Upper Canada, for the time  
 being, shall be Governors of the said McGill College,  
 and that the said College shall consist of one Principal,

One Col-  
 lege at least  
 to be estab-  
 lished.

Called Mc-  
 Gill College.

Who shall  
 be Govern-  
 ors of said  
 College.

to be elected in manner hereinafter mentioned, and who shall be, during his continuance in the said office, a Governor of the said College, of four Professors to be also elected in manner hereinafter mentioned, and of Fellows, Tutors, and Scholars in such numbers, and at such salaries, and subject to such provisions, rules, and regulations, as shall hereafter be appointed by the Statutes, Rules and Ordinances of the said College. And we do, by these presents, for us, our heirs and successors, will, ordain and grant that the Principal and Professors of the said College shall be from time to time elected by the said Governors or the major part of such of them as shall be present at any meeting to be holden for such election; and in case of any equality of votes the officer present at such meeting whose office is first described in order in these presents shall have a double and casting vote; provided always, that the persons by whom such elections shall be made shall notify the same respectively to us, our heirs and successors, through one of our or their principal Secretaries of State, by the first opportunity, and in case that we, our heirs or successors, shall disapprove of any person so elected, and shall cause such disapprobation to be notified to him under the Royal signet and sign manual, or through one of the principal Secretaries of State, the person so elected as aforesaid, shall immediately upon such notification, cease to hold the office of Principal or Professor to which he shall have been elected as aforesaid, and the said Governors shall thereupon proceed to the election of another person to fill the office of such Principal or Professor respectively, and so, from time to time, as often as the case shall happen.

And we do by these presents, for us, our heirs and successors, will, ordain and grant that the said Governors, Principal and Fellows, and their successors forever, shall be one distinct and separate body politic and corporate in deed, and in word, by the name and style of "The Governors, Principal and Fellows of McGill

Officers of  
which said  
College shall  
consist.

Principal  
and Profes-  
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Election of  
Principal and  
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must receive  
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Governors  
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College, at Montreal, in the said Province of Lower Canada," and that by the same name they shall have perpetual succession and a common seal, and that they and their successors shall, from time to time, have full power to break, alter, make new, or change such common seal at their will and pleasure, and as shall be found expedient, and that by the said name the said Governors, Principal and Fellows, and their successors, from time to time, and at all times hereafter, shall be a body politic and corporate in deed and in law, and be able and capable to have, take, receive, purchase, acquire, hold, possess, enjoy and retain.

And we do hereby for us, our heirs and successors, give and grant full authority and free license to them and their successors, by the name aforesaid, to have, take, receive and purchase, acquire, hold, possess, enjoy, and retain to and for the use of the said College, notwithstanding any statutes or statute of mortmain, any manors, rectories, advowsons, messuages, lands, tenements, rents, hereditaments of what kind, nature, or quality soever, so as that the same do not exceed in yearly value the sum of £6,000 above all charges; and, moreover, to take, purchase, acquire, have, hold, enjoy, receive, possess and retain, notwithstanding any such statutes or statute to the contrary, all or any goods, chattels, charitable and other contributions, gifts and benefactions whatsoever; and that the said Governors, Principal and Fellows, and their successors by the same name, shall and may be able and capable in law to sue and be sued, implead, and be impleaded, answer and be answered in all and every court or courts of record or places of judicature within our United Kingdom of Great Britain and Ireland, and our said Province of Lower Canada, and other our dominions, and in all and singular actions, causes, pleas, suits, matters and demands whatsoever, of what kind and nature and sort soever, in as large, ample and beneficial manner and form as any other body politic or corporate, or any other

Authorized to hold property of what kind soever not exceeding in yearly value the sum of £6000 above all charges to purchase and receive, to plead and be impleaded, &c.

our liege subjects being persons able and capable in law may or can have, take, purchase, receive, hold, possess, enjoy, retain, sue, implead or answer, or be sued, impleaded or answered in any manner whatsoever.

And we do by these presents, for us our heirs and successors, will, ordain and grant, that the <sup>The major part of the</sup> Governors <sup>to</sup> of the said College, or the major part of them, shall <sup>frame</sup> statutes <sup>and</sup> rules, <sup>and the</sup> and ordinances touching and concerning the good <sup>object</sup> government of the said College, the performance of <sup>of</sup> these <sup>and</sup> rules <sup>specified.</sup> Divine Service therein, the studies, lectures, exercises and degrees in arts and faculties and all matters regarding the same, the election, qualification and residence of the Principal, Professors, Fellows and Scholars, the salaries, stipends and provisions for the Principal, Professor, Fellows and Scholars, and officers of the said College, and touching and concerning any other matter or thing which to them shall seem good, fit, useful and agreeable to this our charter, provided that no such statutes, rules and ordinances shall have any force or effect until allowed and confirmed by us, our heirs or successors; and also from time to time to revoke, augment or alter the same as to them, or the major part of them, shall seem expedient, subject always to our allowance and confirmation as aforesaid—provided that the said statutes, rules and ordinances, or any of them shall not be repugnant to the laws and statutes of this our realm, and of our said Province of Lower Canada. And we do hereby for us, our heirs and successors, charge and command that the statutes, rules and ordinances aforesaid, subject to the said provisions, shall be strictly and inviolably observed, kept and performed, so long as they shall respectively remain in force and effect under the penalties, to be thereby or therein inflicted or contained. And we do by these presents, for us our heirs and successors, will, ordain, direct and appoint that the <sup>Members</sup> members <sup>of the Royal</sup> of the Royal Institution <sup>Institution</sup> aforesaid, for the time being, <sup>visitors</sup> shall be visitors <sup>of the College</sup> of the said College. <sup>pro tempore.</sup> And we do fur-

Students of  
said College,  
shall have li-  
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culties.

ther will, ordain and grant, that the said College shall be deemed and taken to be an University, and that the Students in the said College shall have liberty and faculty, of taking the degrees of Bachelor, Master and Doctor, in the several arts and faculties at the appointed times, and shall have liberty within themselves of performing scholastic exercises, for the conferring of such degrees, in such manner as shall be directed by the statutes, rules and ordinances of the said College. And we do by these presents for us, our heirs and successors, grant and declare that these our letters patent, or the enrolments or exemplifications thereof shall and may be good, firm and valid, sufficient and effectual in the law according to the true intent and meaning of the same, and shall be taken and construed and adjudged in the most favourable and beneficial sense for the best advantage of the said Governors, Principal, Fellows and Scholars of the said College at Montreal aforesaid, as well in all our courts of record, as elsewhere, and by all and singular Judges, Justices, Officers, Ministers and other subjects whatsoever, of us our heirs and successors, any misrecital, nonrecital, omission, imperfection, defect, matter, cause or thing whatsoever to the contrary thereof, in any wise notwithstanding, without fine or fee, great or small to be for the same in any manner rendered, done or paid, to us in our hanaper or elsewhere to our use. In witness thereof, we have caused these our letters to be patent.—Witness ourself at Westminster, the thirty-first day of March, in the second year of our reign.

By writ of Privy Seal,

(Signed,)

BATHURST.

# STATUTES OF M<sup>c</sup>GILL COLLEGE.

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## CHAPTER I.

### *Of the Corporation,*

1. The Corporation shall meet annually, on the day after Commencement Day, and shall, at such meetings, inspect the Books and accounts of the Registrar, Bursar and Secretary, and transact all such business relative to the property of the University as may be necessary.

2. Special meetings of the Corporation may be summoned at any time, by the Governor General, the Chief Justice of Montreal, or the Principal, not less than seven days notice of such meeting being given through the Secretary. At all such meetings the Governor present whose office is first described in the Charter shall preside or have a double or casting vote.

## CHAPTER II.

### *Of the Governors.*

1. The Governors shall meet quarterly in the College, on the fourth Wednesday in the months of March, June, September and December, provided that if any such fourth Wednesday shall fall upon a Holyday the meeting shall be deferred to the day following.

2. Special meetings may be convened at any time by any Governor, not less than seven days notice of such meeting being given through the Secretary. At all such meetings, the Governor present, whose office is first described in order in the Charter, shall preside and have a double or casting vote.

3. At all meetings of the Governors two shall make and constitute a quorum for the transaction of such business as does not require, under the Charter, the presence of a majority of the Governors for the time being.

## CHAPTER III.

*Of the Caput.*

1. There shall be a weekly Board to consist of the Principal, Vice Principal and Professors, to be called the *Caput*, of whom three shall form a quorum for the transaction of business.

2. It shall be the duty of the Caput to frame Rules and Regulations as occasion may require, for the discipline, lectures, studies, and internal government of the Lecturers, Scholars, Students, Inferior Officers and other members of the College; to make regulations regarding the expenses and system of living within the College; to hear and determine all complaints for breaches of such Rules and Regulations; provided always that no persons shall be suspended or expelled without the consent of the Governors, and that nothing herein contained shall have reference to the Lecturers in the Faculty of Medicine.

3. The Secretary of the College shall act as Secretary to the Caput, and minutes of all their proceedings shall be preserved.

4. Supplications for degrees shall be addressed to the Caput, and with the exception of Honorary degrees, no degree or incorporation shall be allowed without their consent.

5. Special meetings of the Caput may be called at any time, by the Principal or Vice Principal, on the requisition of any two of its members, not less than six hours notice of such meeting being given through the Secretary.

## CHAPTER IV.

*Of the Convocation.*

1. The Convocation shall consist of
  1. The Governors.
  2. The Principal.
  3. The Vice Principal.
  4. The Professors.
  5. The Lecturers of and above the rank of B. C. L.
  6. Doctors of Divinity.
  7. Doctors of Civil Law.

8. Doctors of Medicine of five years standing from their degree.

9. Bachelors of Divinity.

10. Masters of Arts.

Provided always, that no Graduate shall be a member of Convocation, whose name shall not be standing on the books of the University.

2. The Convocation shall meet four times in every term for the purpose of conferring degrees; such meetings being regulated by the Caput at their first meeting in each term. Notice of these meetings shall be given by the Secretary to all members of the Convocation resident within five miles of Montreal, and also by advertisement in some one of the newspapers published in Montreal.

## CHAPTER V.

### *Of the Principal.*

The Principal shall preside at all Convocations for conferring degrees, and shall have the general inspection and direction of the internal affairs of the College, under such regulations as may be in force for the time being.

## CHAPTER VI.

### *Of the Vice Principal.*

1. The Governors shall appoint one of the Professors to be Vice Principal of the College; who shall retain his appointment during their pleasure.

2. The Vice Principal shall be resident in the College, and during the non-residence of the Principal, shall be the Parent and Guardian of the College household. In the absence of the Principal he shall preside at all meetings of the Caput, and of the Convocation. He shall examine Students for Matriculation; maintain the observance of the Statutes by the Professors, Lecturers, Scholars, Students, Inferior Officers, and all other resident members of the College; enforce such observance by admonitions and punishments; in graver cases, convening the Caput. He shall direct the Students in their studies, promoting

by all the means in his power, their progress in religion and learning. He shall preside over the Collegiate exercises, and regulate the Inferior Officers and servants of the College.

3. The salary and fees of the Vice Principal shall be regulated and appointed by the Governors.

## CHAPTER VII.

### *Of the Professors, Lecturers and Tutors.*

1. The following Professorships shall be established:

- a. Professor of Divinity.
- b. Professor of Classical Literature.
- c. Professor of Mathematics and Natural Philosophy.
- d. Professor of Medicine.

2. It shall be competent for the Caput to appoint such Lecturers and Tutors as shall be from time to time required, such appointments being subject to the approval of the Governors, and to continue during pleasure. The Principal shall appoint the Registrar, Bursar and Secretary of the College, such appointment being likewise subject to the approval of the Governors, and to be also held during pleasure.

3. Every Professor, Lecturer and Tutor, shall take the Oath of Allegiance and of Office.

4. No Professor, Lecturer or Tutor shall teach in the College any principles contrary to the doctrines of the United Church of England and Ireland, or to the British Constitution.

5. Every Professor, Lecturer and Tutor shall have power to punish by confinement and fine; the fine not to exceed five shillings; the confinement not to exceed twelve hours.

6. The salaries, fees and perquisites of the Professors, Lecturers and Tutors shall be determined and appointed by the Governors.

## CHAPTER VIII.

### *Of the Registrar, Bursar and Secretary.*

1. The Offices of Registrar, Bursar and Secretary shall be united in one person, who shall be appointed as hereinbefore mentioned.

2. He must give security to the extent of one thousand pounds current money of this Province, and must enter into Bonds with the Corporation for the due fulfilment of his offices, and shall receive and account for all monies and revenues of the University and College, from all sources derivable. He shall have custody of the Charters, Records, and all other muniments of the College, and the Matricula or Registry of the names of all the members of the University and College. He shall be Secretary to the Corporation, Governors and Caput, and enregister their respective proceedings. He shall apply the funds in his charge to the payment of salaries and other purposes according to the Statutes and orders of the Governors.

3. He shall inspect the lands, buildings, and other property of the Corporation, report the necessary repairs, or any extraordinary expenditure, to the Governors, and superintend, under their directions, the execution of such repairs and expenditure.

4. He shall submit a full statement of his accounts to the Corporation at their annual meeting; to the Governors at their Quarterly Meetings, and to either at such other times as they shall specially require it. He shall receive an annual salary, to be fixed by the Governors.

#### CHAPTER IX.

##### *Of the Steward, Beadle and Gardener.*

1. The Steward, Beadle and Gardener, shall be nominated by the Principal, subject to the approval of the Governors, and removable at their pleasure, and shall be subject to such rules and regulations as shall be from time to time agreed upon by the Principal and Vice Principal.

#### CHAPTER X.

##### *Of the Refectory.*

1. The meals shall be in such apartments of the College as shall be determined by the Principal.

2. At meals there shall be a high table for the members of Convocation, and Bachelors of Civil Law, Lecturers, Fellows and Tutors. A second table for Bachelors of Arts, and Students



in Law and Medicine, who have passed the examination for the degree of Bachelors of Arts, or the "previous examination," and others for Undergraduates.

## CHAPTER XI.

### *Of College Dues and Fees.*

1. The Principal and Vice Principal shall, as often as they see occasion, regulate the payments to be made to the University and College, and several officers thereof, by Students and all other members, save and except the Students in the Faculty of Medicine, such regulations being always subject to the approval of the Governors.

2. A table of these regulations shall be kept affixed in the Collogo Hall by the Registrar.

3. No payment shall be claimed by any officer, on any account or pretence whatever, except such as shall be stated in the said table.

## CHAPTER XII.

### *Of Matriculation.*

1. No person shall be matriculated as a Student in the Faculty of Arts without previous examination by the Vice Principal.

2. If a person be matriculated in vacation, the following term shall be accounted as his first.

3. A Matricula shall be kept by the Registrar, in which all those who are matriculated, save and except Students in the Faculty of Medicine, shall subscribe their names to the declaration that they will faithfully observe the Statutes, Rules and Ordinances of the University; also a Register in which the Registrar shall insert the Christian and surnames of all persons admitted, with their ages, places of birth and education, and the names and places of residence and rank of their parents or guardians.

## CHAPTER XIII.

### *Of Terms, Vacations and Holydays.*

1. The Academical year shall begin on the first Wednesday in September, and shall contain three Terms, in which all scholastic exercises shall be performed.

2. The first, or Michaelmas Term, begins on the first Wednesday in September, and ends on the twentieth of December.

The second or Lent Term, begins on the Wednesday nearest to the seventh of January, and ends on the Saturday before Palm Sunday.

The third or Easter Term, begins on the Wednesday after Easter Sunday, and ends on the day after Commencement Day, which is always the third Wednesday in June.

3. On the first and last days of every Term, after Divine Service in the College Chapel, or in the Protestant Episcopal Parish Church of Montreal, the Principal, or one of the Professors, Lecturers or Tutors, whom the Principal may appoint, shall preach a Sermon, all the members of the University, who have not obtained a dispensation to the contrary, attending in the full dress Academical habits.

4. The Holydays and other public Festivals and Fasts appointed by competent authority, shall be duly observed.

#### CHAPTER XIV.

##### *Of the Chapel.*

Until that portion of the College, designed for a Chapel, be erected, Divine Service shall be performed in some convenient room in the College, to be selected by the Principal.

#### CHAPTER XV.

##### *Of Divine Service.*

1. On every Sunday during Term, all the resident members of the University, under the degree of B. C. L., who have not obtained a dispensation to the contrary, shall attend the morning service in the Protestant Episcopal Parish Church of Montreal. On every day during Term, they shall attend morning and evening prayer in the College Chapel, or apartments allotted for that purpose.

2. Dispensations for non-attendance at Chapel and Church, will be granted, on application to the Principal, to such members as shall not be of the United Church of England and Ireland.

3. The prayers in the College Chapel shall be said in rotation, by such of the officers of the College as shall be in Holy Orders of the United Church of England and Ireland.

#### CHAPTER XVI.

##### *Of Lectures and Exercises.*

The Lectures and Exercises, and the attendance of the Undergraduates, shall be determined from time to time by the Caput.

#### CHAPTER XVII.

##### *Of Degrees.*

1. No Student shall be admitted to the degree of Bachelor of Arts, until he shall have kept by Academical residence, *nine* Terms, and have passed the previous and final examinations.

2. Candidates for the degree of Bachelor of Arts, may present themselves for the previous examination in their fourth, and for the final examination in their tenth Term.

3. No person shall be admitted to the degree of Master of Arts, until he shall have completed six years from the day of his matriculation. He must produce certificates from the Registrar of having taken the degree of Bachelor of Arts, and of having passed such examination as shall be prescribed by the Caput.

4. No person shall be admitted to the degree of Bachelor of Civil Law, until he shall have completed five years from the day of his matriculation. Candidates for this degree, without proceeding through Acts, must produce certificates from the Registrar of their having kept twelve Terms by Academical residence, of having passed the previous examination, which they may not do until they shall have entered upon their seventh term of Academical residence, and of having attended regularly the Lectures in Civil Law.

5. Bachelors of Arts of two years standing may take the degree of Bachelor of Civil Law, on producing certificates of due attendance on the Lectures in Civil Law.

6. No person shall receive a license to become a Student of Civil Law, until he have passed the previous examination.

7. No person shall be admitted to the degree of Doctor of

Civil Law until he be of fifteen years standing, from the day of his matriculation. He must produce certificates from the Registrar of having taken the degree of M. A., or B. C. L., of having attended the Lectures in Civil Law, and of having performed such other exercises as shall be appointed by the Caput.

8. No person shall be admitted to the degree of Bachelor of Divinity, unless he be in full orders of the United Church of England and Ireland, or of the Protestant Episcopal Church of Scotland. All Candidates for this degree must produce certificates from the Registrar of having completed twelve years from the day of their matriculation. They shall perform such exercises as shall be appointed by the Caput.

9. The degree of Bachelor of Divinity may be conferred on Clergymen of the above mentioned Churches in full orders, provided that such Clergymen shall be persons of learning and discretion, and shall have been ten years in Holy Orders, and shall have satisfactorily undergone such examination as the Caput may appoint.

10. No person shall be allowed to take the degree of Doctor in Divinity until he shall have completed sixteen years from the day of his matriculation, and have previously taken the degree of Bachelor of Divinity. Bachelors of Divinity of four years standing may be admitted to this degree, and all candidates shall perform such exercises as the Caput may appoint.

11. The Caput may allow the incorporation and admission to the same, or a similar degree in this University, of Graduates of any University in Her Majesty's dominions, who may desire such incorporation and admission, due enquiry being made as to their moral character and sound learning; and provided always that Clergymen, only of the United Church of England and Ireland, and of the Protestant Episcopal Church of Scotland, can be incorporated as Graduates in Divinity, and admitted to the same degree in this University.

12. Graduates of foreign Universities may be incorporated and admitted at the discretion of the Caput.

13. The Caput may permit the incorporation of *Alumni* from any University in Her Majesty's dominions, to whom shall be granted and allowed the same standing as that which they held

in such University, a satisfactory certificate of such standing being produced.

14. Honorary degrees may be conferred on eminent persons whether British subjects or foreigners, and in certain cases on Officers of the College. But such Honorary degrees shall not confer the ordinary privileges of regular Graduates.

15. All degrees shall be conferred by the Convocation.

16. The fees on all degrees must be paid to the Registrar before the degree is conferred.

## CHAPTER XVIII.

### *Of Moral Conduct and Discipline.*

1. Every exertion shall be made by all members of the University and College, to the maintaining of good morals.

2. No Undergraduate shall resort to any Inn or Tavern, or place of public amusement, without special permission from the Vice Principal.

3. No member of the University shall promulgate any principles contrary to Christian morals.

4. No resident Undergraduate shall remain out of College, nor any visitor in an Undergraduate's room after ten o'clock at night, without the special permission of the Vice Principal.

5. No member of the College shall break, deface or otherwise injure the buildings, walls, doors, windows, fences or any other property belonging to the College.

6. The Vice Principal, Professors, Lecturers and Tutors, shall have power and authority to enter the apartments at all hours, of all members of the College, under the degree of B. C. L.

7. Juniors shall pay the respect due to their Seniors, both in public and private, by taking off their caps, giving place to them, and by their usual modes of attention and civility.

8. Inferior Officers and members of the University and College are required to pay respectful deference to the admonitions of the Principal, Vice Principal, Professors, Lecturers and Tutors.

9. A printed copy of the Rules, under this chapter, shall be affixed by the Registrar in every gallery of the Institution.

## CHAPTER XIX.

*Of Academical Dress.*

1. The dress of all members of the University shall be plain, decent and comely, without superfluous ornament.

2. The Academical habits shall be the same as those which are worn in the University of Oxford, as they are appropriated to each degree, rank, station and standing respectively, save and except that the Undergraduate Commoner's gown shall be the same as that worn by the Oxford Scholars; and the Undergraduate Scholar's gown shall be the same as that worn by the Undergraduate Commoners of King's College, Toronto, and the resident Students in Law and Medicine, who have passed the "previous examination," shall wear the same gown as that which is worn by Bachelors of Arts in the University of Cambridge; the Students in Medicine wearing a plain rose coloured silk hood.

3. No member of the University shall appear at Church, Chapel, Lecture or Refectory, without his Academical habits, nor without the College grounds, except by dispensation from the Vice Principal.

## CHAPTER XX.

*Of Residence and keeping Term.*

1. With reference to resident members, no Term shall be kept or reckoned towards a degree, without Academical residence during the whole Term, or at least three fourths of it, and such Academical residence shall consist in boarding and lodging in the College, in wearing the proper habit, in attending Divine Service, Lectures and Classes, (unless a dispensation be granted to the contrary,) in performing exercises, and in complying with all the Academical regulations according to the Statutes.

2. With reference to non-resident members keeping Term. Academical residence shall consist of the same as prescribed in the last Rule, with the exception of boarding and lodging in the College.

3. The keeping of a Term may be disallowed by the Caput

to any resident member for neglect of duty, for not paying the College dues, or for contracting debts elsewhere.

## CHAPTER XXI.

### *Of Rank and Precedence.*

1. The Visitors.
2. The Governors as their Offices are described in order in the Charter.
3. The Principal.
4. The Vice Principal.
5. The Professor of Divinity.
6. The Professor of Classical Literature.
7. The Professor of Mathematics.
8. The Professor of Civil Law.
9. The Professor of Medicine.
10. The Lecturers according to the date of their appointments.
11. The Tutors according to the date of their appointments.
12. Doctors of Divinity.
13. Doctors of Civil Law.
14. Doctors of Medicine.
15. Bachelors of Divinity.
16. Masters of Arts.
17. Bachelors of Civil Law.
18. Bachelors of Arts.
19. Students of Civil Law.
20. Students of Medicine.
21. Scholars.
22. Students.

Ratified and Signed the fourteenth day of July, in the year of our Lord one thousand eight hundred and forty three, by

VALLIERES DE ST. REAL,  
*Chief Justice of Montreal ;*  
 JOHN B. ROBINSON,  
*Chief Justice of Upper Canada ;*  
 JOHN BETHUNE,  
*Principal of McGill College.*

# A D D R E S S

DELIVERED BY

THE PRINCIPAL OF M<sup>C</sup>GILL COLLEGE.

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LADIES AND GENTLEMEN,

To the Governors of this College, whose persevering exertions are now so far crowned with success,—to the learned professions, and to the laity generally,—to all of these, individually and collectively, it must be a subject of the most heartfelt congratulation that we are here assembled to witness the opening of the first Institution, in this portion of the British Empire, which is authorized to confer those literary honors and distinctions to which it will, henceforward, be the privilege of our youth to aspire. It is a subject of such deep and engrossing importance as should unite us all in one undivided and unqualified expression of most humble and hearty thanksgiving to Him, who is the bountiful bestower of every good and perfect gift.

In virtue of the office which I have the honor to hold in this University, the duty devolves upon me of setting forth, in this public manner, the general principles upon which it is to be conducted. But I beg to be permitted, previously, to occupy a few minutes of your time in setting before you a concise history of its rise, and of its progress to its present state.

The founder of this University was a highly respectable merchant in this city, whose honorable industry and perseverance in his calling had been crowned with an ample fortune. Desirous



of bestowing upon the country of his adoption,—upon the country in which he had accumulated his wealth, some extensive and lasting public benefit, he consulted his intimate friend and connexion by marriage, the present Lord Bishop of Toronto, in the year 1810, while on a visit to his Lordship at Cornwall, of which the Bishop was then Rector. To his Lordship, then, we are indebted for the suggestion of founding this Institution in fulfilment of the desire of Mr. McGill, to leave behind him a valuable and permanent testimonial of his gratitude for the ample blessings which it had pleased a kind and bountiful Providence to bestow upon him. Mr. McGill, therefore, bequeathed this property, on which we are now standing, then estimated to be worth £5,000, and the sum of £10,000 in money, towards the erection and endowment of an University. It was stipulated in his Will, that if the University should consist of more than one College, one of the Colleges should be called after his own name; and if it should consist of only one College, then that one should have the like denomination. The bequest was made in favour of four Trustees, of whom the Bishop of Toronto was one, to be transferred by them, for the purposes intended, to the Board of the Royal Institution for the advancement of Learning, so soon as it should be constituted in virtue of the Provincial Statute, passed in 1801, authorizing the Governor of Lower Canada to constitute that Board. Mr. McGill died in 1813, but the Board of the Royal Institution for the advancement of Learning was not constituted until the year 1819, when the Trustees duly invested them with the bequest in conformity with the Will of the Testator. It was one condition of the Will that the bequest should remain in the enjoyment of the residuary legatee for a limited period, and that unless the University was erected within ten years from the death of the Testator, the bequest should revert to that residuary legatee. The Board of the Royal Institution therefore lost no time in applying to the residuary legatee to be put into possession of the bequest, in order to the fulfilment of their trust, but they were unhappily met by a refusal to comply with the wishes of the benevolent Testator, (who, it may be here remarked, was the legatee's own most munificent benefactor,) on the ground that the Testator could not legally devise any por-

tion of his property in *Mortmain*. The consequence of this refusal was a long course of litigation, protracted through a period of 16 or 17 years, a circumstance which sufficiently accounts for the delay which has occurred in bringing the wishes of the founder into effect. In the mean time the Board of the Royal Institution procured the erection of the University by a Royal Charter, granted by His late Majesty George the Fourth, in the year 1821,—a course of proceeding which was sustained in our Courts of law as removing the difficulty which might have otherwise arisen with respect to a compliance with the condition that the University should be erected within the time specified by the Testator, until they could obtain possession of the means devised for a more literal fulfilment of his design.

A single glance at the Will of the late Mr. McGill must convince any who are at all conversant with our Provincial history, that he must have had in his view the prospect of a rich endowment of Seminaries of Learning in this Province by the Crown. It is impossible to suppose that a person of the late Mr. McGill's intelligence and connexion with Provincial public affairs should not have been aware of the fact that His late Majesty George the Third had communicated to the Governor of Lower Canada, in the year 1801, his Royal desire that His Excellency and the Executive Council should take up the subject of extensive grants of land for the purposes of education,—and that a report had been subsequently made to the Secretary of State favourable to extensive endowments of Schools and Colleges in this section of Canada—one of the last at Quebec and one at Montreal—and moreover that this report was favourably entertained by His Majesty, and orders sent to this country to carry it into effect. It is impossible to suppose that when Mr. McGill made his Will he was unacquainted with these facts—indeed his Will directly points to them—because he made his bequest in aid of the erection and maintenance of a College at Montreal—evidently pointing to the one which he supposed would be endowed by Government in this city, to the extent of twenty thousand pounds. It is deeply to be lamented that those enlarged and benevolent views of his late most gracious Majesty of pious memory, have never been carried out. This is most deeply to be

deplored—and it is natural enough for us, at this day, to ask why they were not carried into effect—especially when we see that in that portion of this Province which was then called Upper Canada, those views have been fully accomplished. It is at least very easy to discern the cause of this last result—it was the active, unabated zeal and untiring exertions of the Bishop of Toronto. Is it not then reasonable to suppose that a similar zeal and similar exertions on the part of those in this section of the Province, whose duty it was to attend to this most important matter, would have been crowned with the like success? We cannot take upon ourselves to say that such zeal did not exist—that such exertions were not made—but we can and will say that we have no evidence of either. Of one thing, however, we are quite certain, namely, that not one acre of public land, not one farthing of the public money has been bestowed, in the way of endowment, upon this Institution—and the consequence has been that it has the character of a College of private foundation, depending solely upon the resources of that foundation, and upon such aid as may from year to year be granted by the Legislature. It is then precisely in the same position, with respect to the public, as the Roman Catholic Colleges in this section of the Province, and as the Church of Scotland and Methodist Colleges in Canada West. They are of private foundation and so is this;—If, therefore, the Legislature grants assistance to each of those Colleges, whose management is exclusively in the hands each of its own denomination, and are of an exclusively religious character—we may, *a fortiori*, expect to receive aid to the same amount, at least. With these preliminary observations, I proceed to develop the general principles upon which this University is to be conducted.

The Charter which has been read, it is almost superfluous to say, is the authority by which its rulers must be guided—the law and the testimony to which they must appeal—that Charter which was granted by the Sovereign to the petition of those into whose hands the bequest was temporarily intrusted. The first provision in the Charter is for inculcating the principles of true religion. The very first question then, which presented itself to the consideration of the Governors, was that of the religious

character of the Institution. Had the Charter been silent upon this subject, it might in that case, in these days of mawkish liberality, have become a question of policy whether the University might not be more popular, and more likely to receive general as well as legislative support, as a mere seminary of instruction in the arts and sciences, if it were divested of all religious character. I am grieved to say that, in the present temper and feelings of a portion of the inhabitants of Canada, I fear this would be the case. I fear that to secure the cordial good wishes of a considerable body of professing Christians, it would be necessary, anomalous as it may appear, to decree that Christian teaching and Christian worship must be excluded from the walls of this University:—For, to satisfy all parties in this respect, we have to choose one of only two alternatives. We must allow every one of the almost countless sects into which the Christian family is unhappily divided, to have its representative religious teacher and its daily worship within these walls, or we must banish from its precincts even the sound of the name of that God “in whom we live and move and have our being.” I trust there is good sense enough left among us to enable every one to see, at a single glance, that the first of these alternatives cannot be entertained. For not to enlarge upon the distracting effects of such a system upon the minds of the youth who may be congregated here, or upon its inevitable tendency to scepticism and infidelity, a simple calculation will shew its utter impracticability in operation. There are now, within the small compass of this city alone, to say nothing of the whole Province, not less than ten different sects of Christians. If we suppose each of these to have a Professorship of Theology established here, we should then require for this faculty alone, nearly three times the whole number of Professorships which are allowed by the Charter. But if we suppose this difficulty surmounted, each of these ten sects must have its morning and evening service, occupying at least ten hours, or some two hours more in each day, than is usually devoted to instruction altogether, in all the arts and faculties,—or are we to have ten separate chapels within these walls in which the worship of God is to be simultaneously celebrated?

What shall we say of the other alternative—that of

banishing all religious instruction, all religious worship, from the walls of the University; that of permitting, it may be, some hundreds of our youth to be congregated here in a state of Heathenism—nay, worse than this, (for the Heathen would not suffer the worship of their Gods to be excluded from such an Institution,) in a state of absolute Atheism, for any thing that they should be permitted to be taught here to the contrary,—*And is it come to this?* Is this the boasted liberality of the 19th century, which leads professing Christians to say that they cannot unite in the support of a seminary of learning, where a child should be trained up in the way in which he *should* go, unless that seminary be based upon a principle which would be spurned by those Heathen whose darkness it is the earnest and laboured desire of the same Christians to dissipate! If example be more powerful in its effects than precept, I should like to know how it would do to tell the Heathen, while we are setting before them the doctrine of salvation through Christ, that it is necessary to exclude the teaching of that doctrine from our chief seminaries of learning, because the mode of doing so might be offensive to some?—Well indeed may we here unite in prayer to God, that having “built his Church upon the foundation of the Apostles and Prophets, Jesus Christ himself being the chief corner stone, he would grant to us to be so joined together in unity of spirit, by their doctrine, that we may be made an holy temple, acceptable unto Him, through Jesus Christ our Lord.”

I appeal to you fathers—I appeal to you pious mothers, whose chief delight it is to teach the infant tongue to lisp the praises of its God, and while they are still fresh as it were from the hand of their Creator, uncontaminated by the corruptions, untouched by the ambitions and unclouded by the cares of the world, to imbue their young minds with the love of their Saviour at the time when they are most susceptible of those impressions which are most pure and most lovely—to lead them to the contemplation of the glories of his resplendent path upon earth, of his sufferings and of his sacrifice, until they love him even as he hath loved us. I appeal to you whether you would be willing, whether you would consider it consistent with your duty

to those same children, to permit them, when they have become more exposed to the temptations of sin, to be inmates of an establishment whence you knew that the teaching of that religion, and the worship of that God, and of that Saviour were banished;—and where, finding all their time, their talents and their energies devoted to the cultivation of the arts and faculties, they must naturally infer that the one thing needful which their mothers taught them to believe, is only ideal—since the wise and learned men under whose care and instruction they are now placed, and who are goading them on to the acquisition of all the knowledge which they consider to be most useful and valuable, have never spoken of that one thing needful, of that jewel of inestimable price, for the purchase of which their pious mothers had taught them they should sell, if need be, even the whole world if it were theirs.

I shall not urge this argument farther—to say all that might be said on the subject would occupy far more of the time of this meeting than any one individual could be allowed to take up. But enough I trust has been said to show that, even if the Charter of this Institution had been silent on the subject, the Governors could not, consistently with the due discharge of the trust reposed in them, have consented to divest it of all religious character. In a word, that must be a sound principle of human action which bases all human proceedings upon religion.

Much stress, I am aware, is attempted to be laid upon the circumstance, that no mention is made, in the Will of the founder of this Institution, of instruction in the principles of religion, but only of “education and the advancement of learning,” and it is inferred that he did not consequently contemplate any preference in favour of any particular denomination of Christians. But this I must take leave to say is not a legitimate conclusion from the premises; for Mr. McGill either considered religious instruction to be included in “education,” or he did not. If he did not, as it is contended, then we must conclude that, by the mere provisions of his Will in this respect, no religious instruction of any description could be given in this University. But if we bear in mind that when Mr. McGill made his Will, a University without religion was a thing unknown within the British

dominions;—the experiment of such a scheme was reserved for a much later period—an experiment which has proved a signal failure—the fair conclusion then is that the founder of this University did consider religion to be included in “education.” But if we admit for a moment, the supposition that he did not so consider it, how would the question be affected by such a hypothesis? It must be admitted, on all hands, that the intentions of the testator could not have been carried into effect in the establishment of an University, without a Charter making provision for the manner and form, and for the regulations under which it must be conducted. If, then, it had been clearly set forth by the founder, that no religion was to be taught in the contemplated University, it would follow that no part of his bequest could be legally appropriated under a Charter which prescribed “instruction in the principles of true religion.” This University must therefore fall to the ground, and the money of the testator applied by his trustees under that Charter must be refunded. This would be a consummation which I apprehend none of those who pretend so to interpret the Will of the late Mr. McGill, would desire to see. But how stand the *facts* in this case? The testator bequeathed land and money to a corporate body, called “The Royal Institution for the advancement of Learning,” in trust, to be applied by that body towards the erecting and maintaining an University “in such manner and *form*, and under such regulations as the said Royal Institution for the advancement of Learning shall in this behalf prescribe.” Here, then, is the most ample declaration of the testator with respect to the *manner and form and the regulations* under which it was his desire that the contemplated University should be conducted. He leaves this absolutely to the Royal Institution to settle, and to no one else. And what was the action of the Royal Institution “in this behalf?” They applied for, obtained and accepted a Royal Charter, which makes provision for “the manner and form,” and for “the regulations” under which the University is to be conducted. Under this Charter, then, it is incontestible, and under no other authority can the bequest of the late Mr. McGill be legally applied towards the maintenance of an University. The Governors of the University, to whom

is intrusted, by this Charter, among other objects, the framing of the "regulations" under which it is to be conducted, know no other authority than that Charter. And when they looked into that Charter, and saw that the very first object to which it points is "the education of youth in the principles of true religion," they felt that under no circumstances could they be justified in making no provision for such instruction; and when they farther found it enjoined upon them to make provision, among other objects, for "the performance of Divine Service therein," they could not feel a moment's hesitation in giving to the University a religious character;—and they have no difficulty in avowing that they had sincere pleasure in finding that they could, with perfect unanimity, discharge their duty in a manner so much in accordance with their own desires.

This important point being settled, the next thing to be considered was, of course, the nature of that religious character and the form of Divine Service to be established. They could not entertain the idea, for reasons already stated, of more than one system of religious instruction, or of more than one form of Divine Worship; and to guide them in their selection they had again recourse to the authority under which they were acting, to the law and the testimony to which they were bound to appeal. In the Charter, they are free to admit they found no positive instruction, in direct terms, on the subject. But they could draw no other legitimate inference from the declaration of the Royal pleasure that this University was designed "for the instruction of youth in the principles of true religion," than this, that the Sovereign could have meant by "true religion" none other than the particular form with which he was himself in communion, and which he was bound, by the most solemn obligation to maintain.—And with regard to the views of the founder of the Institution on the same subject, although there does not appear to be any thing in his Will, which positively settles the point beyond all question; yet it is well known, that he lived and died in the same faith as that which was professed by his Sovereign, —that he proposed to name a Clergyman of the Church of England, in his Will, as the first President of the College; but the offer was declined on the ground that it would involve the



necessity of his removal from Upper Canada to this city, which he would not consent to do ; and that he selected as Trustees of his bequest, until the Board of the Royal Institution should be constituted, persons who were all members of the Church of England, save one who was one of his oldest and most intimate friends. It appeared then that, in the absence of any positive instruction on the subject, the United Church of England and Ireland had a very strong claim to the distinction of being selected as the peculiar form of doctrine and worship to be established in this University. It is equally clear that there is not the slightest foundation, either in the Charter or in the Will or in the circumstances of the founder, for such a claim on the part of any other denomination ; and the Governors therefore felt that they could not err in giving the preference to that which had *a strong claim*, over those who had *no claim at all*;—a strong claim which receives much additional force from the fact that the members of the Church of England both in this city and in the whole of this section of the Province, are not only more numerous than any one other denomination of Protestants, but, according to the last census, more numerous than the whole united body of all others within the same bounds who are distinguished by the same general designation. A Divinity professorship, therefore, of the Church of England has been established by the statutes, and provision has been made for the performance of Divine Service in the University, according to the form and discipline of the same Church, leaving it optional with those of other denominations to absent themselves from the services. In this particular, the Governors can conscientiously aver that they have faithfully and fearlessly discharged the most important of the duties entrusted to them,—faithfully in accordance with the authority under which they were acting, and fearlessly as to any possible consequences. For however deeply they should deplore any such dissatisfaction as may lead those who conscientiously differ to withdraw their countenance and support from the University, they would have much more deeply felt the well merited obloquy of shrinking, under the fear of man, from the performance of a sacred duty to God. But they hope for better things from their fellow subjects of all other denominations. They trust that they will, on mature

reflection, feel neither jealousy nor alarm in the provision which has been made in favour of the Church of England in an University whose founder was of its own communion, in an University whose portals are flung widely open to all of them, and the freest and most unfettered access afforded them to all the offices and all the advantages and honors in every art and faculty, save that one which is allotted to the members of one Church alone—the Faculty of Divinity. And they, moreover, confidently indulge the hope, a hope founded on the soundest principles of justice, that “the powers that be” can have no hesitation in granting aid to an Institution which admits all, without distinction of creed, to a free participation, without test or subscription, in all the advantages to be derived from the knowledge of the arts, and of the faculties of Law and Medicine, merely because the faculty of Divinity is open to the Church of England alone, and her forms of worship and discipline therein established, while the same powers have dispensed and are still dispensing aid with a liberal hand to other Seminaries of learning, in which the distinctive denominational character is far more strongly marked, and exclusively maintained. But should it please those powers to act otherwise, and to deal less justly with the Church of England than with other denominations of their fellow subjects, we shall not regret the course we have taken, but rest in the full assurance of that support which a kind Providence will not fail to bestow. The path of rectitude and duty is the path of safety.

A Professorship has been established in the faculty of Medicine with a competent number of Lectureships in its various branches. And the Governors entertain a strong hope of being enabled shortly to establish a Professorship in the faculty of Law. In the Arts, Professorships of Classical Literature and of the Mathematics and Natural Philosophy have been established, and to all of these appointments have been made, with the exception of the Mathematics and Natural Philosophy, for which no application had been received which could be favourably entertained by the Governors. They have therefore entrusted the selection of a Professor in this branch of the Arts, to two competent persons in the University of Cambridge, in England.

The University therefore opens with Professorships of Divinity, Medicine, Classical Literature, and Mathematics and Natural Philosophy, with five Lectureships in the various branches of the Faculty of Medicine; and we hope soon to add Lectureships in Rhetoric and Logic, and in History and Geography. While the Governors deeply regret that the very limited means at their disposal has prevented them from doing more, they are not without the prospect of increased revenues and a consequent enlarged sphere of action at no very distant period. And it gives them sincere pleasure to announce that, in the impartial discharge of their duty, their selections have happened to fall upon persons of four different denominations of Christians—a circumstance which affords a sufficient guarantee that no impediment exists to the attainment of the offices of this University on the ground of differences in religious belief. The Governors also feel much satisfaction in being enabled to say that a proposal, on the part of the subscribers to the High School in this city, for a junction with this University, has been accepted on terms satisfactory to all parties—so that that Institution may now be considered as a preparatory school to this University, while it preserves its distinctive character of independence under a joint Board of Directors appointed by the subscribers to the school, and by the Governors of the College.—This happy arrangement, while it has the much desired effect of uniting parties in the interests of education, secures to the University a constant, and it is hoped an unfailing supply of well prepared students.

It is under these circumstances that we launch our infant Institution upon the world; and though it may be now but as that “little cloud like a man’s hand,” which appeared upon the horizon at the bidding of the prophet, let us pray and let us trust that the blessing of a kind and protecting Providence will cause it to spread and gather strength, like that little cloud, until its benefits descend upon our land in copious and refreshing showers of wisdom and knowledge.

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