

A NARRATIVE  
OF THE CONNECTION OF THE  
REV. J. BETHUNE, D. D.  
WITH  
M'GILL COLLEGE,  
AS PRINCIPAL OF THAT INSTITUTION,  
ADDRESSED TO THE  
CONGREGATION OF CHRIST CHURCH, MONTREAL,  
AND TO THE  
CLERGY AND LAITY  
OF THE  
CHURCH OF ENGLAND,  
IN THE  
DIOCESE OF QUEBEC.

Montreal:

PRINTED BY LOVELL AND GIBSON, ST. NICHOLAS STREET.

1846.

## TO THE READER.

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IT must be almost superfluous to say that I have not undertaken to print the following Narrative without extreme reluctance, and most urgent necessity.

For the abuse of Newspapers, on the one hand, or what is generally understood by *popularity*, on the other, I care but little; because I am well aware that the most faithful discharge of public duty cannot guard any man against the one, nor secure him in the possession of the other. The highest authority has said: "Woe unto you when *all* men speak well of you."

The Narrative will shew that I have been authoritatively forced into a position, in which I must either defend myself, or submit to dark suspicion, if not degradation of character. The first law of nature authorizes me to take the former alternative.

JOHN BETHUNE.

MONTREAL, 22nd June, 1846.

A NARRATIVE  
OF THE CONNECTION OF  
THE REV. J. BETHUNE, D. D.  
WITH MCGILL COLLEGE,  
AS PRINCIPAL OF THAT INSTITUTION.

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THE difficulties in which I have been involved, as Principal of McGill College, have been so intimately connected with the Board of the Royal Institution for the Advancement of Learning, that an account of their proceedings must necessarily constitute a considerable portion of the history of my connection with that University.

The late Mr. McGill, the founder of the College, died in the year 1813 ; and, although it was known that, by a provision in his Will, unless a College were erected on the Burnside property within ten years from his demise, his bequest must revert to his legatees, the Board of the Royal Institution was not constituted until the 8th October, 1818, when half the limited time had expired.

The Board was of course aware of this fact at the time of their appointment ; they, nevertheless, suffered more than fifteen months to pass by before they applied to the Trustees\* under Mr. McGill's Will, viz. 18th January, 1820, for investment of the legacy in the terms of the Will. The Trustees appear to have responded to the demand with all possible promptitude, for we find them applying, on the 20th of the same month, to Mr. Desrivières for possession of the Burnside property ; and, after some correspondence with that gentleman, which terminated in his refusal to surrender any portion of the

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\* The Trustees were : the present Bishop of Toronto, the Honorable John Richardson, the Honorable James Reid, and James Dunlop, Esq.

bequest, they made over the property to the Royal Institution, by deed, on the 20th June following, in order to give to that body a title to prosecute the claim. And thus nearly seven of the ten years had passed away before any step was taken to secure Mr. McGill's legacy.

The late Duke of Richmond received a despatch from Lord Bathurst, the Colonial Secretary, dated 9th March, 1819, directing His Grace to adopt, with as little delay as possible, the necessary "measures for erecting upon the lands left for that purpose by Mr. McGill, an adequate building for the instruction of youth," and authorizing him to "defray the expense which it may be necessary, in the first instance, to incur, from the funds which may be in the hands of the Receiver of the Jesuits' Estates." This appears to have given the first impulse to the Royal Institution to move at all in the discharge of a duty which required the most prompt, active, and energetic proceedings. Finding, however, that they could not get possession of Burnside without legal process, they procured the erection of a College by Charter, in 1821; and in that invisible erection, it will appear by the sequel, they seem to have been quite satisfied that the College should remain for ever; for, when they obtained possession of Burnside in 1829, they took no step, that I ever heard of, to procure the erection of the necessary buildings to secure the legacy,\* by means of the funds provided for that purpose in the above-mentioned Despatch to the Duke of Richmond—and thus they lost for ever the chance of erecting the College buildings, at a cost of probably £20,000, out of the Jesuits' Estates fund—because that fund was subsequently transferred to the disposal of the Provincial Legislature. They also lost, by this piece of neglect, an annual income of about £900, in addition to what may now, or in future, be derived from the estate; namely, the interest of the money which has been expended in the erection of the buildings. Instead of such a course of action, they lay on their oars, quietly awaiting the issue of their suit for the recovery from the legatees of

\* Although sixteen years had elapsed since the death of the Testator, yet as his legatees had contested the bequest, the limitation in his Will could not fairly count from an earlier period than that at which the Royal Institution were put into possession of Burnside, viz. in the year 1829.

the £10,000 bequeathed by Mr. McGill—a suit which they suffered to languish nearly fifteen years.

After possession had been obtained of the Burnside property, the Governors of the College and the Royal Institution, in both of which Corporations the Bishop of Montreal, then Archdeacon and Rector of Quebec, held the office of Principal, propounded various schemes for the establishment of a *Grammar School* in the old house on that property, none of which were fortunately carried into effect. I say *fortunately*, because such a diversion of Mr. McGill's bequest from his declared intentions must have led to its reverting to the legatees of that gentleman, according to a provision in his Will which has been already adverted to. Through the urgency of the gentlemen who constituted the Medical Faculty of the College, a draft of a new Charter had been drawn up, containing certain amendments to the present Charter, the chief of which related to the erection of a more numerous Board of Governors resident in Montreal.

In the month of November, 1835, I was appointed to the office of Principal of the College, vacant by the resignation of the Bishop of Montreal, in the same temporary way as all the other officers were appointed previously to the College being brought into operation. This appointment was made by Lord Gosford, the late Bishop of Quebec, and the Chief Justice of Montreal, the Honorable James Reid. Long before my appointment to this office I had heard complaints frequent and loud of the tardy proceedings of those concerned in the affairs of the College; and when I came into office I felt it my duty to do what I could to remove these complaints. The first object of my enquiry was the proposed amended Charter. What had become of it? Nobody knew. I caused diligent search to be made for it, and it was at length drawn from a pigeon-hole in the Provincial Secretary's Office, covered with venerable dust. An examination of that document convinced me that the provision for *ex-officio* Governors was such that the majority of them might, in the course of no very distant time, be Roman Catholics, and that, consequently, the whole Government of the College would probably fall into their hands. I represented this very objectionable feature to the Bishop of Quebec, and I was requested to propose an amendment,

which I accordingly did in the following terms: "That  
 "our trusty and well beloved the Governor-in-Chief of  
 "Lower-Canada, or the Lieutenant Governor, or person  
 "administering the Government thereof, for the time being  
 "—the Protestant Lord Bishop of Quebec—the Right  
 "Reverend George Jehoshaphat Mountain, Lord Bishop  
 "of Montreal, and his Successors Bishops of Montreal—  
 "the Rector of Christ's Church, Montreal, and his Suc-  
 "cessors Rectors of said Church—a Minister of the  
 "Church of Scotland resident in Montreal,\* to be  
 "selected for that purpose by the Presbytery of Montreal,  
 "to be perpetually succeeded by a minister of the Church  
 "of Scotland chosen in like manner—the Principal of the  
 "College—the Honorable James Reid, the Honorable  
 "George Moffatt, the Honorable Peter McGill, William  
 "Robertson, M. D., Wm. Plenderleath Christie, Esq.  
 "Samuel Gerrard, Esq. and John Samuel McCord, Esq.  
 "shall be the Governors of the said College—with autho-  
 "rity to fill up all vacancies, as they may occur, by the  
 "demise, incapacity to act, or removal from the District  
 "of Montreal, of any of the Governors who are not such  
 "ex-officio, by a majority of the votes of the Governors  
 "present at a meeting convened for that purpose," &c.

After some discussion, this amendment was adopted at a meeting of the Governors held at Quebec, 14th November, 1836, Lord Gosford dissenting, on the ground that the system proposed of filling up vacancies was, in his opinion, objectionable—his Lordship, for the same reason, refused to transmit the Charter, thus amended, to England, for the approval of the Crown. A copy of the amendment was immediately communicated to the Board of the Royal Institution, who made no objection to it, and who had agreed to all the other amendments in the draft Charter previously to its coming into my hands.

Lord Gosford left this country in 1838, and was succeeded in the Government by Sir John Colborne; and in the month of January, 1839, the draft of the amended Charter, as agreed to by the Royal Institution and the Governors of the College, was transmitted through him

\* I was at that time under the impression, which had been induced by the Acts of former Governors of the College, that it was not intended by the founder or by the Charter, that the management of the College should be exclusively in the hands of Members of the Church of England.

to the Secretary of State for the Colonies—was approved of and prepared for the Royal signet, when it was arrested in that stage by the intervention of the Royal Institution, under the pretence that they had not had an opportunity of seeing it; although, on the 8th March, 1836, the Honorable A. W. Cochran, then Principal of the Royal Institution, wrote to me as follows, in answer to my urgent request that he would get the amended Charter through the necessary forms in this country as speedily as possible. “The Charter of McGill College, *as amended*, remains still under the Attorney General’s consideration.” I made frequent application to Lord Sydenham on the subject of this amended Charter, but his Lordship appeared to be indisposed to make any move in the affairs of the College; His Successor, Sir C. Bagot, thought it best to proceed under the present Charter, and Lord Metcalfe was of the same opinion; and although the College was opened and carried on under the present Charter, so much inconvenience has been found to arise from the circumstances of the Governor General and the Bishop of Montreal refusing to act as Governors of the College, and the great distance of the Chief Justice of Upper Canada from Montreal, thus throwing the whole burthen of responsibility upon the Chief Justice of Montreal and myself, that I prepared a new draft of an amended Charter, which was adopted at a meeting of the Corporation, held on the 25th April, 1846. (See Appendix No. 1.) A Committee was appointed to draft a Petition to the Queen to accompany the draft Charter, but before they could meet, the Despatch communicating Mr. Gladstone’s decision with regard to myself was received, and all further proceedings were consequently arrested.

Having disposed of this matter of the Amended Charter, I revert to the proceedings of the Royal Institution and of the Governors relative to the property of the College—the erection of the College Buildings, and the bringing of the Institution into actual operation.

A short time after the Amended Charter of McGill College had been transferred by the Principal of the Royal Institution to my hands, I was informed that the suit against the heirs Desrivières for £10,000, amounting then to more than £22,000, had been determined in the Court of final appeal; and being well aware that the

Board of the Royal Institution had put the Governors into possession of the Burnside estate so soon as it had been recovered by action of ejectment, on the 29th June, 1829, the Governors of the College applied to the Board for possession of the funds to enable them to proceed to the erection of the necessary buildings for bringing the College into actual operation as speedily as possible. The Board appeared to be of the same opinion then as they were in 1829, namely that the whole property should be put into the hands of the Governors so soon as recovered from the heirs of Mr. McGill, and as a preliminary measure they communicated to the Governors the following resolution passed at a meeting, in November 1836—“ That inasmuch as it appears to the Board that formal possession was duly taken by the Governors of the College at Montreal, on the 29th June, 1829, of the house and estate of Burnside, with the knowledge and consent of a sufficient quorum of the Board of the Royal Institution then being also present at Montreal, but of which delivery of possession no formal record has been made in the registry of the proceedings of the Royal Institution, this Board doth agree to cause an entry to be made in the Minute of its proceedings in confirmation of the act of possession so granted and taken at Montreal on the 29th June, 1829, and that the Board will hold itself ready to grant such farther instrument of assurance as the Governors, upon legal advice, shall find necessary, in order to invest the Governors with full and legal possession of the Burnside Estate.”

Not long, however, after this communication, the Board of the Royal Institution refused to invest the Governors with the funds, alleging that the duty of erecting the College Buildings devolved upon them, but that so soon as that duty should be discharged, the Board would then formally convey the whole bequest to the Governors, and thus enable them to bring the College into operation. The Governors, after some deliberation, consented to this arrangement for the sake of peace and expedition, and urged upon the Board the erection of the College Buildings without delay. The Board, on the 9th May following, notified the Governors of their intention to proceed forthwith to the erection of the buildings. But instead of acting in accordance with that notification, they re-

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peatedly endeavoured to force the Governors to acquiesce in their scheme of establishing a School in Burnside House; and it was not until the 7th July, 1838, that they agreed to erect them to a certain extent, and advertised for designs, which they received in the month of October following. After they had received those designs, they revived the scheme of putting into operation some kind of *Scholastic Institution* in Burnside House, and proposed it to the Governors of the College, who rejected it at once, and endeavoured to persuade the Royal Institution that unless suitable buildings for a College were erected not later than 1839, *i. e.*, within ten years after possession had been had of Burnside Estate in 1829, they might have another tedious suit with the legatees of Mr. McGill. This was answered by a Resolution of the Board, 21st November, 1838, to proceed to the opening of a School in Burnside House as a sufficient fulfilment of the Will, and they reiterated this intention on the 10th December following; to which the Governors sent an absolute refusal on the 17th of the same month, and urged again the erection of the buildings necessary for putting the College into operation. On the 15th January, 1839, the Royal Institution resolved to go to the extent of £15,000 in the erection of buildings; but on the 5th of the following month they returned to their old scheme of a School in Burnside House. The Governors again refused their concurrence, and once more urged the erection of buildings suitable for a College. The Royal Institution then re-advertised for designs, and subsequently appointed a meeting to be held in Montreal, in June, 1839, for the purpose of deciding upon the best design. There were present at that meeting several members of the Royal Institution, including the Bishop of Montreal, Sir John Colborne and myself, and the members of the Medical Faculty of the College. Instead, however, of proceeding to the business for which the meeting had been appointed, I was astounded to find that Sir J. Colborne, secretly persuaded by some of the members of the Royal Institution to give in to their plan of a School in Burnside House, opened the business of the meeting (the plans all lying on the table) by reading from a paper what were *his intentions*,—namely, to send to England for a competent Teacher to have the title of Principal, to preside over a School in

Burnside House, the Royal Institution having agreed to appropriate £500 per annum for the payment of his salary. Astounded as I was at this announcement, having never heard a whisper of it before, although I was one of the Governors of the College, and had consequently as good a right as any one else to be consulted, I immediately made up my mind as to the course I should pursue in the matter; and when the question of concurrence was put to me *last of all*, I positively refused, and declared that I would never become a party to a scheme which must have the effect of postponing indefinitely the erection of suitable College Buildings and the opening of such an Institution as was contemplated in the Will of the Testator, and consequently of endangering the whole bequest. Sir J. Colborne and I being the only acting Governors of the College at the time, (there being no Chief Justice of Montreal) and I being dissentient, the plan was defeated, and the meeting proceeded to the examination of the designs. In the month of August following, the buildings were commenced, but were not fit for the reception of Students until the month of September, 1843. Thus did the Royal Institution allow fully three years to elapse, after they had the means of erecting the College Buildings, before the first stone was laid, and occupied four years more in their erection, in all seven years to accomplish that which might have been easily effected in two years. A very serious and irreparable injury to the interests of the College arose out of this delay,—namely, the establishment of the High School, which, but for this delay, I am well aware, would never have been thought of, and all the interest of the leading families of the City, now concentrated in that Institution, would have been centered in McGill College, and she would have had her hundreds of Students at the outset of her operations.

But this was not all. Pending the erection of the buildings, the Royal Institution, while under various pretences they withheld from the Governors the promised title to the Estate, took no step to procure from the Legislature those extended powers without which they could not materially increase its revenues; nor did they seek those extended powers until they were driven to it by the Petition of the Governors for the same powers in 1845. I need not

say how different would have been the pecuniary resources of the College, had the step which they took in 1845 been taken some two or three years earlier—and even when they did petition they had prepared nothing—they had made no calculation—they had no plan,—but contented themselves, by means of which I shall speak hereafter, with getting their name substituted for that of the Governors in the Bill which had been drafted and brought before the Legislature by the latter,—thus adopting the whole plan of making the most of the Burnside Estate, which, it is well known, was *entirely mine*.

I shall now state the measures which were taken to procure the substitution, in the Bill of the Governors, of the words “The Royal Institution for the advancement of Learning,” for the words “The Governors, Principal and Fellows of McGill College.”—The Honorable T. C. Aylwin, who had been, for two years before, the professed Champion of the College authorities in the Legislature, and who was, moreover, placed, at his own particular request to me, on the Committee to which the Petition of the Governors was referred, was talked over to the side of the Royal Institution, being chiefly influenced, as he told me, by the information which he said he had derived from the Bishop himself, that His Lordship did not consider McGill College a Church of England Institution. The Governors of the College resident in Montreal, and myself in particular, were assailed in the columns of the *Montreal Herald* in a series of numbers, and villified in the most scurrilous and libellous language ; and every exertion was made before the Committee of the House to paint me in characters which might be denominated anything but *white*. Among others, the Bishop of Montreal was brought before the Committee to give evidence. I hold in my possession a letter from His Lordship, in which he says he was summoned before the Committee *unexpectedly*, and against his will—and yet I find, in the printed Minutes of that Evidence, that His Lordship put in, during his examination, a copy of several rather voluminous documents which he must of course have had in his possession when so *unexpectedly* summoned. One of these documents was a Minute of the Proceedings of the Board of the Royal Institution at a pretended Visitation of the College in the preceding month of November,

containing strong allegations against the character and conduct of the Governors of the College resident in Montreal, and of myself more especially, against whom indeed the whole proceedings appear to have been got up —allegations which were subsequently fully rebutted, as the reader will be able to judge in the sequel of this narrative. I shall here quote some portions of the evidence given by the Bishop of Montreal, in order to shew into what errors His Lordship had fallen (inadvertently I must suppose) and how liable even the best men are to mistake, when under the influence of strong bias.

*Question.* “Is it not now many years since all the objects for which they were constituted have been taken out of the hands of the Royal Institution, and other provision been made for education?—Not all the objects, but the greater part of them; there remain but two, the Visitatorial control over McGill College, and the Royal Grammar School of Montreal”—that is to say, *the Visitatorial control over McGill College* which was created by the Charter in 1821 was *one of the objects* for which the Royal Institution was constituted in 1801—*twenty years before!* In another part of his evidence, in reply to the question: “Are you aware that the Royal Institution have refused to pay the expenses necessarily incurred for opening the College, for which the Governors living in Montreal are being sued; and have they not also refused money for the purchase of the necessary fuel, so much so, that the said Governors have been obliged to procure some at their own expense, to prevent the College doors from being closed,” His Lordship says, “The facts are widely different from those supposed in the question, *from first to last.*” And in some supplementary answers, afterwards transmitted by his Lordship to the Committee, he says, with reference to the same question of the fuel, that the Board of the Royal Institution “had no suspicion of the existence of the inconvenience”—this was in January, 1845. The letter-book of the College shews that on the 15th December, 1843, the Secretary of the College wrote to the Secretary of the Royal Institution as follows: “I am directed by the Governors of McGill College to request the favor of your laying before the Board of the Royal Institution “the accompanying account of the expenses incurred in

"making the necessary preparations for opening and carrying on the College, as well as a statement of the monies due to the Professors and other Officers thereof.

"I am further directed to request you to express to the Board, the desire of the Governors that they be furnished with the means of defraying these sums, out of the property of the College in the hands of the Board, at their earliest convenience."

On the 12th January, 1844, from the same to the same.

"I am directed to enquire whether it is the intention of the Board of the Royal Institution to return an answer to my communication of the 15th December last."

From the same to the same, 5th September, 1844, viz: at the commencement of the second Collegiate year.

"I am directed to state that the Governors of the College are indebted to certain persons for the fuel consumed in the College during the past year, in the sum of £100—the Board are requested in the same letter to furnish the Governors with that amount, together with an equal sum to enable them to purchase the necessary fuel for the approaching winter."

From the same to the same, 29th September, 1844, requesting on the part of the Governors "the favor of an answer to their application of the 5th instant."

From the same to the same, 24th December, 1844.

"I am directed to request you to call the attention of the Board to my communication of the 29th September last."

Not one farthing of the money alluded to in those letters was paid for "the expenses necessarily incurred for opening the College," or "for the purchase of the necessary fuel," until the month of January, 1845, about two months after the Petition, out of which the questions above stated arose, was presented to the Legislature—although the Board of the Royal Institution, it is apparent, were made aware of the whole matter, from time to time, from the 15th December, 1843.

The Bishop also says, in another part of his evidence that the Governors of the College had borrowed money, on their own responsibility, "but were not placed under the necessity by any Act of the Royal Institution," al-

though, as will be more fully shewn in the sequel of this Narrative, they had absolutely refused in June, 1843, to place any money at the disposal of the Governors to enable them to make the necessary provision for opening the College.

The Honorable A. W. Cochran was also examined before the Committee, and made several very erroneous statements, for which it is difficult, considering his opportunities of knowing the truth, to account as simple unaffected mistakes—Let one example suffice. In reply to the same question about “the necessary fuel,” he says “with respect to the refusal of the Royal Institution to “advance money to the Governors for fuel; *it is not true* “*that such was the fact*”—I shall make no other observation on this than simply to refer the reader to the letters above quoted.

Notwithstanding all these powerful efforts, the Committee reported in favor of the most essential portion of the prayer of the Governors, and a Bill which had been drafted by the Governors was introduced, and in that form it passed the first reading—but the second and third readings took place late on the last night of the Session, when, by some side wind manœuvre which I have never been able to discover, the substitution which I have already stated was made—and in that shape it was hurried, with a mass of other Bills, through the Upper House and received the Royal assent the next day.

I must now revert, in my narrative, to the period when the various schemes of the Royal Institution for substituting a *Grammar School* for the College provided for in Mr. McGill's Will, were finally thwarted in the month of June, 1839. It will be recollected that the Royal Institution offered, on that occasion, to appropriate £500 per annum, for the payment of the salary of the Head Master or Principal of such an Institution. The Medical Faculty of McGill College had then discontinued their lectures for about two years for want of funds—I therefore proposed to Sir J. Colborne that we should appropriate the same sum to the Medical Faculty pending the erection of the College Buildings, to which he at once assented. A formal meeting was held and a resolution passed to that effect, a copy of which was immediately sent to the Royal Institution; but that body refused its

assent, on the ground that it could not properly appropriate any portion of the funds to the support of *one branch* of the University, unless the others were brought into operation at the same time—although it was quite prepared, a short time before, to make an equal appropriation for an object never contemplated by the Testator, nor even by the Charter! Sir J. Colborne was so much annoyed at this procedure of the Board, that he wrote them a very severe letter on the subject (see Appendix No. 2,) and feeling the great importance to the community, as well as to the security of the bequest, of putting the Medical Faculty of the College into active operation, he assumed the responsibility, at my suggestion, of appropriating from the public funds £500 for that object, trusting that the Special Council would sanction that appropriation at their next meeting. The Medical Faculty, in consequence, recommenced their regular Courses of Lectures in the month of November following—and have ever since received the like assistance from the Legislature.

Sir J. Colborne left this country very soon after this last mentioned occurrence, and I have already stated that Lord Sydenham manifested no interest in the affairs of McGill College. With the exception of the erection of the College Buildings (under the direction of the Honorable G. Moffatt and myself who were the Commissioners appointed for that purpose by the Royal Institution, but we experienced so many difficulties with the Board that we both resigned before the buildings were finished) nothing farther was consequently done until the arrival in this country of Sir C. Bagot, as Governor General. On the occasion of His Excellency's first visit to Montreal, two meetings of the Governors of the College were held, at which were present Sir C. Bagot, the Chief Justice of Montreal and myself, —when it was resolved :

1. "That it is highly desirable to put McGill College into immediate operation to the extent that can be warranted by the present resources of the College."
2. "That the Chief Justice and the Principal be a Committee to decide upon and submit to His Excellency, for his approval, the following subjects connected with the opening of the College, viz: with respect to

" the Professorships, Lectureships, &c., and other Officers  
" of the College. With respect to the general Statutes  
" of the University—and with respect to the precise  
" period at which the College can be opened."

3. "That His Excellency the Governor General be  
" respectfully requested to recommend to the Provincial  
" Legislature, at the next Session, to grant £1500 per  
" annum, in aid of the current expenditure of the College,  
" and farther to grant £5000 for Philosophical Apparatus,  
" the rudiments of a Library, and furniture for the Col-  
" lege."

4. "That it is expedient, for the interest of the College,  
" that measure be taken to procure the passing of an  
" Act at the next session of the Provincial Legislature,  
" repealing the Act 41st Geo. III, Chapter 17,\* and vest-  
" ing the bequest of the late Mr. McGill in the Corpora-  
" tion of the Governors of McGill College—and that the  
" Chief Justice and the Principal be authorised to com-  
" municate with the Board of the Royal Institution on  
" the subject, and to take the necessary steps for carrying  
" this Resolution into effect."

With reference to the Resolution marked 3, the Governor General recommended to the Legislature, at the ensuing Session, a grant of £1000 to the Governors of the College, one half of which was for the Medical Faculty—and owing to the sudden termination of the Session by a change of the Ministry, the grant was passed only *by a vote of the Legislative Assembly*—and the portion allotted to the Medical Faculty only was paid, on the ground that the *vote* could only cover such grants as had theretofore received the formal sanction of the whole Legislature. With reference to Resolution No. 4, the Bill was to have been introduced in the same Session, but was necessarily postponed for the reason above stated. Notice was given of its introduction by a member of the Government in the following Session, but was again postponed by the abrupt termination of that Session, occasioned by the sudden disruption of the Ministry, and its subsequent fate in the Session of 1844-5, has already been stated.

With reference to Resolution No. 2, applications for Professorships, &c. were received, and Statutes were pre-

\* The Act which constitutes the Royal Institution.

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pared; but owing to the long illness of the Governor General, Sir C. Bagot, and the occupations of the Chief Justice of Upper Canada, no meeting of the Governors could be called for any period earlier than the month of July, 1843.

In the meantime the two Governors resident in Montreal, under the authority of the 2nd Resolution above cited, applied to the Board of the Royal Institution for possession of the property of Burnside, by the "instrument or assurance" which had been promised. The Board, after some delay, sent instructions to their Agent and Attorney in Montreal, to prepare an *Act of mise en possession* of Burnside Estate, and the buildings thereon, to the Governors of McGill College. In this "Act," they instructed their Agent to insert certain conditions involving certain claims to authority over the Governors, which they (the Governors) had before refused to recognize, as inconsistent with the provisions of the Charter, viz : "The Governors to be put in possession of the trusts and purposes of the Will and Charter, subject to and with the reservation of the rights and powers of the Royal Institution, as Trustees under the Will, and as Visitors, viz : the power of *establishing Statutes and By-laws* for the government of the College or Colleges erected or to be erected, &c. &c., on the Estate, and to *repeal or annul any By-laws*, &c., which may be made for that purpose by the Governors of the College—to enquire from time to time touching the *execution of the Statutes* or the *compliance* of the Governors with the Charter. To remove as need be the Officers of the College, for misconduct or neglect of duty, to correct abuses and generally to *superintend the management* of the trust created by the Will of the Testator and the provisions of the law and the Charter. To *superintend, manage and administer* the property devised and bequeathed by the Testator's Will, or otherwise given for the maintenance and support of McGill College as an Institution of *Royal foundation*; and for the above purposes generally to enter upon and into the Estate, buildings and premises, by themselves, or their lawful Agents or Attorneys."

The Governors of course refused to accept such an "Act," as inconsistent with the provisions of the Charter, as contradictory in itself, and as reducing them to

mere instruments in the hands of the Royal Institution. I may here remark that when Sir C. Metcalfe was made aware of these preposterous pretensions, he refused to act as a Governor of the College, on the ground that he would not subject any act of his to be overhauled or called in question by such a body as the Board of the Royal Institution.

A meeting of Governors having been arranged to take place early in July, 1843, for the purpose of taking into consideration the "Statutes, Rules and Ordinances," prepared as before stated by the Chief Justice of Montreal and myself, of making the necessary appointments of Professors, &c., and of determining the precise day on which the College should be opened, the Board of the Royal Institution were informed, on the 22nd June, 1843, of the intention of the Governors to open the College early in the following month of September, and requested to know what sum could be placed at their disposal for making the necessary preparations for that object. The Board refused to make any appropriation for the required purpose, unless a detailed statement of the articles of furniture, &c. which might be required, and a particular estimate of their cost should be previously furnished by the Governors;—the Governors informed the Board, in reply, that they could not furnish a detailed statement or estimate, but would lay out whatever sum could be appropriated, to the best advantage, as far as it would go. The Board persisted in their refusal.

The meeting of the Governors before adverted to, took place on the 12th July, 1843, and was continued on the 13th, 14th and 15th, at which were present the Chief Justice of Montreal, the Chief Justice of Upper Canada and the Principal. The Statutes of the College were passed, the Professors, &c. appointed, and the opening of the College, on the 7th September following, determined upon. The correspondence with the Royal Institution, which had taken place at various periods, having been submitted to the meeting, it was Resolved, that "It is evident to the Governors, from the tone adopted by the Royal Institution, and the idea which they seem to entertain of their powers and of the responsibility imposed upon them, that no benefit is likely to arise from continuing this correspondence."

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It was further Resolved, at the same meeting, that "upon the principles which they (the Royal Institution) have advanced, and have indeed acted upon, it is plain they may obstruct every movement of the Corporation towards carrying the Charter into effect, until their opinion is submitted to in regard to the necessity of purchasing a table, or upon the price of a stove-pipe to be used in the College \* \* \* but it can hardly be imagined that the founder or the Government believed that they were committing to the Governors of McGill College an authority liable to such interference and impediments as must make all proceedings by them impracticable"—and further "the Governors beg to express their hope that His Excellency the Governor General may not think it out of place to communicate to the Royal Institution the opinions which he may form on the propriety of their making over, without delay, to the Corporation of McGill College all the property remaining in their hands for the use of the College."

In the hope that the differences between the Royal Institution and them would be speedily settled, the Governors borrowed £500 on their own responsibility for two years, towards defraying the cost of the necessary furniture for the College—and of putting the buildings (left unfinished by the Royal Institution) into a sufficient condition for the residence of Professors, and the reception of Students. For this sum they are left personally responsible to this day. In carrying out the necessary work in and about the College Buildings (exclusive of furniture) the Chief Justice of Montreal and myself found it necessary to become personally responsible to workmen, to the amount of £428, of which about £100 remain unpaid.

In fixing the amount of Salaries for the Officers of the College, the Governors felt confident of receiving the sum of £500 granted to them by a vote of the Legislative Assembly in the previous Session, which they had been informed would be paid so soon as the College should be in operation—that a like sum would be granted annually—and that the Burnside Estate would speedily be made much more productive of revenue. From these sources, together with the actual annual income from the College property, they felt they might count upon an income of

£1,500—and under these circumstances, they felt justified in fixing Salaries to the amount of £1,100.

On the 7th August, 1843, I informed the Bishop of Montreal that having been appointed Professor of Divinity in McGill College, I intended to commence a Course of Lectures in that Faculty on the 7th of the next month, and expressed a hope that His Lordship would "see good reason to require the attendance of all Candidates for Holy Orders in this portion of the Province at the only place in your Lordship's Diocese where they can now attain the academical honours of their Profession." His Lordship replied, on the 8th of the same month: "That I cannot, by any act of mine, either now or hereafter, recognize, in any shape, the propriety of the recent arrangements under which you have been appointed Divinity Professor in the University of McGill College." Absence from Town prevented me, from replying to that letter, until the 21st of the same month; I then said, "I am at a loss to determine whether your Lordship's resolution is based upon any general objections to the proceedings of the Governors, at their meeting on the 12th July and three following days, or whether your objection is in any degree, personal. Your Lordship will, I trust, see the justice of giving me precise information upon this point, as well as of affording me an opportunity of remarking upon any communication which you may see fit to make to the Government on the subject of my appointment." The Bishop replied, on the 25th of the same month: "As the appointment of Divinity Professor was made by yourself and the two Governors, who, upon that occasion, acted with you, without any kind of reference to the Bishop in charge of the Diocese (who, but for a purely technical difficulty, would be also a Governor, as it was the intention of the Crown that he should be,) I could hardly have anticipated that I should now be called upon to furnish my reasons for not acquiescing, (in anything which depends upon me,) in the effect of that arrangement, or to render an account of any proceedings which you may suppose that I adopt in relation to it. Whatever may be your expectations upon these points, I am constrained to say that I must be excused from gratifying them any further than by stating that it is not on account of offence taken at my having

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" been unconsulted in the matter, that I am withheld from  
" recognizing the choice which has been made." On the  
27th of the same month I replied as follows : " I gather  
" from your Lordship's last letter, that one of your rea-  
" sons for refusing your acquiescence in my appointment  
" as Divinity Professor is based on an assumption which  
" is not only inconsistent with fact, but which no one could  
" have a just right to entertain. My appointment was not  
" made *by myself* and the other two Governors, as the mi-  
" nutes will shew—It was made *by the other two*, who, on  
" that occasion, constituted a majority of the whole number  
" who could act in such a case.

" With regard to your Lordship's other reason, when I  
" compare the two last paragraphs of your letter, I find  
" from the one that it was because the appointment was  
" made without any reference to the Bishop in charge of  
" the Diocese; and from the other that it is *not* on account  
" of offence taken at your having been *unconsulted* in the  
" matter.

" Your Lordship will perceive that I cannot come to  
" any conclusion on this point without farther assistance  
" from yourself; and as it seems to me to have been your  
" desire to inform me upon it, I take the liberty to ask  
" for something more explicit.

" With regard to the purely technical difficulty which,  
" your Lordship states, has prevented you from acting as a  
" Governor of the College, you cannot surely cast blame,  
" on that score, on any one but yourself, as I understand  
" the remedy, if required, is in your own power, and if  
" not required, you could have claimed your right to sit  
" at the Board. But I have always understood your  
" Lordship to say that you had neither the right nor the  
" desire to be a Governor. The control claimed by the  
" Board of the Royal Institution over the Governors,  
" your Lordship no doubt thought, would have clashed  
" rather strangely, in your own person, in your double  
" capacity of Principal of the Royal Institution and  
" Governor of the College.

" I have no objection to say to your Lordship that I  
" do not covet the office in question. We all thought it  
" our duty to establish a Divinity Professorship in the  
" College; indeed that we could not do otherwise, in obe-  
" dience to the very first object pointed to in the Charter,

" viz : ' The instruction of the youth of the Province in  
 " the principles of true religion.' The funds of the Col-  
 " lege cannot afford the means of procuring a Divinity  
 " Professor from one of the Universities at home, a mea-  
 " sure which I myself stated that I should have preferred.  
 " I therefore accepted the office, without any present emo-  
 " lument, being on the spot, and consequently more able  
 " to do so than any one else, merely for the sake of secu-  
 " ring the establishment of the office in the College. No  
 " one anticipated any objection on the part of the Bishop  
 " of the Diocese ; indeed, that was the last quarter from  
 " which it could have been imagined to arise. I take it for  
 " granted that you cannot possibly have any objection to  
 " the establishment of a Divinity Professorship of our  
 " own Church, in any College within your Diocese. I must,  
 " therefore, conclude that your objection must be of a  
 " personal nature—and if it be on the ground of my *in-*  
 " *competency*, I am very willing to say that I will only  
 " retain it until the means of the College can afford (af-  
 " ter all the other necessary offices are amply provided  
 " for) to make provision for a Professor of Divinity to  
 " be procured from Oxford or Cambridge, if the Go-  
 " vernors should, under such circumstances, wish me to  
 " resign."

On the 1st September following, the Bishop replied :  
 " My Dear Sir, I cannot fail to see that it would open an  
 " interminable discussion of a very painful and improper  
 " kind, to meet, as they would require, the observations  
 " contained in your letter of the 27th of last month,  
 " and to rectify all the misapprehensions under which  
 " you labour in relation to the Bishopric of Montreal, or  
 " other points which you have touched upon. I must,  
 " therefore, be permitted to close here our present corres-  
 " pondence, only repeating, in the most distinct and  
 " decided manner, what, upon a re-examination of my  
 " last letter with a very moderate share of attention, you  
 " will perceive to be perfectly consistent with every other  
 " part of it, that ' it is not on account of offence taken  
 " at my having been unconsulted in the matter that I  
 " am withheld from recognizing' the appointment which  
 " has been made to the Divinity Professorship. To  
 " this, however, I will add that I have never made nor  
 " felt any objection in principle to the union of that Pro-

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"fessorship with the situation to which you were ap-  
"pointed, as an *ad interim* arrangement, in 1835." On  
the 9th of the same month I replied as follows: "Your  
"Lordship having desired, in your last letter, to close  
"our correspondence on the subject in hand, I shall no  
"further press that upon you. But the closing paragraph  
"of your letter, which brings up a different subject, re-  
"quires a passing remark. You speak of a situation to  
"which you say I was appointed, as an *ad interim* arran-  
"gement, in 1835—and this reminds me that I have been  
"informed your Lordship lays considerable stress upon the  
"supposed '*ad interim* arrangement,'—to such an extent  
"indeed as to make it a ground of objection to my con-  
"tinuance in the office of Principal. To say nothing of  
"the explanation under which I accepted that office, (of  
"which I remember I put you in possession) and taking  
"up the hypothesis, for argument's sake, of an *ad inter-  
rim* arrangement, in the sense assumed by your Lord-  
"ship, it amounts to no more than this, that the Gover-  
"nors reserved to themselves the right of annulling that  
"appointment \* if they should see fit to do so. They  
"have *not* seen fit to do so—but have confirmed it, and  
"given me my commission † in the same manner and  
"form as all other commissions have been given to all  
"other Officers of the College."

On the 18th March, 1844, the Bishop of Montreal no-  
tified the Governors that he had become a Governor of  
the College by virtue of the Provincial Statute, 7th Vic-  
toria, Chap. 48, passed in December, 1843. It appears  
that by an Imperial Statute the Bishop of Quebec was au-  
thorized, under certain circumstances, to execute deeds  
for the exchange of Clergy Reserves for other lands.  
The Bishop of Montreal is empowered, by the Act first  
mentioned, to perform the same acts, in the absence of a  
Bishop of Quebec—and "that the duties, powers and au-  
"thority conferred by the said Act or Acts, or by any  
"other authority whatsoever, on the Bishop of Quebec  
"for the time being, shall devolve upon the Bishop of  
"Montreal for the time being, so long as there shall not  
"be appointed a Successor to the said late Bishop of  
"Quebec." This is the foundation of the Bishop's claim

\* Made in 1835.

† Viz: in July, 1843.

to be a Governor. How far it may be good I shall not say at present. But, on the 24th April following, the Bishop, in a letter addressed to me, says : " I beg to say " that in the actual state of relations between the Governors of McGill College, and the Royal Institution, I " have come to the conclusion that it is inexpedient for " me to *act* as a member of the former body, so long as I " may occupy the post of Principal of the latter."

Considering the *antagonism* which had so long existed between the Royal Institution and the Governors, whose acts were supposed to be influenced by me (and this I certainly will not deny, if my utmost exertions could produce that influence,) and perceiving that the same feeling was created in the mind of the Bishop towards me for the same reason, His Lordship being Principal of the one antagonistic body, and I the Principal of the other, I was not much surprised at the opposition made to my appointment in the College, from that quarter—and was even prepared to expect some measures would be taken to get rid of me. I was not, therefore, much surprised that, in a letter addressed to myself, 24th September, 1844, on a subject to be brought before the Governors relative to another Officer of the College, the Bishop should say : " I have only further to say now that, " in order to guard against all possible misconstruction of " my forbearance thus far upon the subjects of the *permanency* of your own appointment as Principal, or my " recognition of the arrangement respecting the Divinity " Professorship, it may be necessary to have it understood " that my views upon those two points have not under- " gone any change." Having shewn this letter to my colleague here, he agreed with me that if the Bishop had any objections to my appointment upon public grounds, we could not understand how he exercised any " forbearance," in not having brought them forward before those who had made the appointment, unless he intended to adopt some other mode of proceeding. We therefore wrote a joint letter to His Lordship on the 5th October following, in which we stated, " That they (the " undersigned) are bound to hope that your Lordship's " sense of justice and of true and fair dealing will with- " hold you from seeking to procure the disallowance of any " of the appointments which have been made by the

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" Governors, by any other means than a reference to the  
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" the Board."

The Bishop replied, on the 15th of the same month,  
" You will, I hope, pardon my saying that when I am  
" conscious of any danger of infringing the principles of  
" justice in my proceedings or deviating from true and  
" fair dealing, I shall be thankful for any suggestions  
" which may contribute to set me right. In the mean-  
" time, I have to observe, that I do not know to what  
" you allude in speaking of 'other means than a refer-  
" ence to the Governors themselves, and a public pro-  
" ceeding at the Board, 'to procure the disallowance  
" of any of the appointments which have been made by  
" the Governors,' but that (without in the slightest  
" degree, admitting that all other means are interdicted  
" to me,) I shall be fully prepared to do, *by the very*  
" *means which you have indicated*, all which my judgment  
" and my convictions of duty tell me to be necessary in  
" this behalf." Before we had received the Bishop's  
reply, I had communicated the extracts above quoted  
from the Bishop's letter, of 4th Sept., and from our let-  
ter to His Lordship, of the 5th Oct., to the Chief Jus-  
tice of Upper Canada—upon which he says: 28th Nov.  
1844, "I am persuaded it is impossible that the Bishop  
" of Montreal can feel any inclination to dissent from  
" it. When you were appointed Principal of the Uni-  
" versity, and when the Divinity Professorship was estab-  
" lished, the Bishop was not even a Governor of McGill  
" College. That His Lordship should object to our hav-  
" ing included, in our arrangements, a Divinity Profes-  
" sorship, can hardly be supposed. If upon any ground  
" applying personally to yourself, His Lordship is resolved  
" not to acquiesce in an appointment, which he had not,  
" and could not have any share in making, under the  
" Charter; and if His Lordship should feel himself called  
" upon to deviate so far from what is usual, as to engage  
" in attempting to reverse appointments which took place  
" before his becoming a Governor, I cannot for a moment  
" suppose that he would think of acting in any other  
" manner than precisely as expressed in your letter to  
" him—that is *by an open public proceeding at the Board*.

" For my own part, I hope it may be plainly understood,  
 " that if the Bishop of Montreal has objections upon  
 " public grounds to your appointment, I am not sensible  
 " of any 'forbearance' in his not having hitherto brought  
 " them forward, if it is His Lordship's intention, at any  
 " time and in any manner, to advance them. To abstain  
 " from a public declaration of the objections, (whatever  
 " they may be) in the presence of those who, with the  
 " best intentions and from the best motives, made the ap-  
 " pointment (and who I am sure would just as readily  
 " unmake it, if sufficient reasons could be shewn) would  
 " be any thing but forbearance, if it could really be in-  
 " tended to urge the same objections in a manner and in  
 " a quarter which would prevent their being openly known  
 " and fairly met and considered. I take it for granted,  
 " however, that any such intention must be wholly out  
 " of the question."

Soon after the explicit declaration of the Bishop of Montreal above cited, namely, on the 12th November following, the Board of the Royal Institution, with the Bishop at their head, assembled at Montreal for the purpose of *visiting* the College. This visitation was induced by a Petition from Dr. Lundy, then Vice Principal, (against whom very serious charges had been previously urged by all the other Officers of the College,) containing complaints against the Governors and especially against me. This was the ostensible cause of the Visitation, although, in the Report which they made of their proceedings on that occasion, they admit that those complaints were of *too trivial and vague* a nature to *require* investigation. The Minute, however, of their proceedings, and their address to Lord Metcalfe, plainly shew that the real object was to get rid of me—for after endeavouring to prove me guilty of many things, (which will be shewn hereafter,) they pray His Excellency "to use his influence with Her Majesty's Government to refuse the sanction to Dr. Bethune's appointment." They also recommend an alteration in the Charter, whereby the number of Governors in Montreal should be increased, and they say that "the public confidence would be greater if, " in the selection of these Governors, regard should be "had to different Protestant bodies in the Province."

The Address containing these recommendations is signed by the *Bishop of Montreal.*\*

In my reply to that Address, the whole of their accusations and allegations against me are quoted. I shall therefore content myself with here giving a copy of that reply, which was addressed to Lord Metcalfe, as sufficient for the information of the reader:

**MAY IT PLEASE YOUR EXCELLENCY,**

It is with the deepest regret and embarrassment, that I find myself impelled to address Your Excellency on the subject of those portions of a communication to Your Excellency, by the Board of the Royal Institution for the advancement of Learning, which relate to myself; a copy of which has been kindly furnished to me by the Provincial Secretary—I say with the deepest regret and embarrassment, because, when I consider that the individuals composing that Board are persons from whom no deviation from truth and justice could, *pri-mâ facie*, be surmised, I cannot but feel most deeply the painfulness of my position, in being forced in self-defence, the first law of nature, to shew that there is neither the one nor the other in the allegations against my character which they have thought proper to make in that communication. The communication to which I refer is a "Minute" from the Proceedings of the Board of the Royal Institution for the "advancement of Learning, at a special meeting held on the 10th "day of December, 1844," at Quebec, and an Address to Your Excellency founded thereon.

They say, in their Address, that the "*united* testimony of the College Officers induces the Board to believe that one main reason of "the College having received so little support is that the Acting Principal does not enjoy that confidence on the part of the public, of "which an individual standing in his position ought to be possessed." On enquiry I find, as will appear by the annexed document marked A, Nos. 1 and 2, that no such "*united* testimony of the College Officers" was given. By this phrase, I understand the Board to assert that the testimony of *all* the Officers of the College *united* in establishing the same point. The College Officers were at that time, besides myself, Dr. Lundy, late Vice Principal and Professor of Classical Literature, since dismissed, Mr. Wickes, Professor of Mathematics, &c., Dr. Falloon, Lecturer in Divinity, the Revd. Joseph Abbott, Bursar, Registrar and Secretary, and Mr. Chapman, Tutor. I do

\* No intimation of the existence of these communications to Lord Metcalfe was ever given to the Governors of the College, or to myself, by either the Government or the Royal Institution. Their existence was accidentally discovered more than a month after they had been in His Lordship's possession.

not know whether the first of these Officers was examined upon the point in question, but I apprehend he was not ; because it was well known to the Board that various charges against him had, some months previously, been made, through me as Principal, and that he consequently indulged feelings of violent animosity against me, of which he made no secret. I therefore infer that his testimony against me was not taken. Mr. Abbott was examined by them relative to his accounts but no question was asked of him, nor was any testimony given by him, on the subject in question. Dr. Falloon was not summoned before the Board at all. These facts, then, completely disprove the assertion of the Board with regard to the "*united* testimony of the "College Officers." Truth and justice required a different statement at their hands. But further the declarations of Messrs. Wickes and Chapman (annexed and marked B. and C.) with reference to their testimony, do not warrant the conclusion of the Board that "one "main reason of the College having received so little support is that "the Acting Principal does not enjoy that confidence on the part of "the public, of which an individual standing in his position ought to "be possessed." Mr. Wickes *reckons* the unpopularity,\* not the want of "confidence on the part of the public" in the Principal, as "among "the causes of the present unprosperous state of the College," but adds, "I must, however, state that *I have myself seen nothing in the conduct "of the Principal to justify the feelings which appear to be entertained* against him in the public mind." The testimony of Mr. Wickes could not have led the Board, if unprejudiced, to the conclusion at which they arrived, because it was well known to the different members that during the first three terms of the College a much greater number had matriculated than could have been hoped, under the circumstances of the furious attacks upon the managers of the Institution which issued from every Press in the Province over which Dissenters had any influence, when they first announced their intention to open the College. The number was eighteen, and if the Board of the Royal Institution had compared that number with the number of students who matriculated in King's College at Toronto, during its first three terms, they would have found the difference in favor of the latter to have been only five or six ; although the population, which in Upper Canada might be expected to supply students, is about five times the amount of that from which a supply of students for McGill College could be looked for in Lower Canada ; and although the rich endowment of King's College enabled it to make the price of tuition

\* Mr. Wickes afterwards acknowledged to me that it was chiefly from the conversation of *Dissenters* that he inferred I was unpopular—I may add that Mr. Wickes was himself of opinion that the College ought not to have any distinctive character as a Church of England Institution.

ined upon the use it was well him had, some l, and that he against me, of testimony against his any testimony was not sum- etely disprove testimony of the ent statement. Wickes and rence to their rd that "one upport is that on the part of ition ought to of the want of , as "among ge," but adds, n the conduct be entertain- Mr. Wickes conclusion at fferent mem- much greater under the cir- e Institution with Dissenters tition to open board of the mber of stu- ring its first r of the lat- on, which in s about five s for McGill ugh the rich ee of tuition

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little more than nominal. I had been Principal of McGill College for the eight years preceding the period of its opening ; so that if my unpopularity had operated at all against the prosperity of the College, it must have done so at the *outset* ; and the effect must have been a *smaller* instead of a *larger* number of matriculations than was anticipated. The causes of the present unprosperous state of the College are as well known to the Board of the Royal Institution as to the Governors.—I shall not state them here ; they will come better from the *Governors* in the reply which will shortly be prepared to those parts of the Report of the Board to Your Excellency which relate to them, in that capacity. \*

The *private* opinion expressed by Mr. Chapman had reference only to my not being a University man, a circumstance which was as well known at the opening of the College as afterwards. It was, moreover, well known that I was not to be the Chief managing *Teacher*, but the Chief managing *Superintendent* of the internal affairs of the Col-

EXTRACT FROM THE LETTER OF THE GOVERNORS TO LORD METCALFE.

\* They complain that there is a very small number of students—less than half the number on the books last year, and they endeavour to account for this diminution in their own way. They state that number to be seven, whereas it is ten.

But the true causes of the removal of so many students are the following : Three found they could not attend the College Lectures in consequence of their private avocations. One got a Commission in the Army. One was removed by his father because he chose to find fault with the judgment of the Caput in a case of gross misconduct on the part of his son, and was moreover incited to the course he took by Dr. Lundy. Another was removed by his father who quarrelled with Dr. Lundy. Two on account of Dr. Lundy's treatment of them. Two were removed because, having been admitted by the Vice Principal, Dr. Lundy, at too low a qualification, they found themselves in a false position. And two were removed without cause assigned, but supposed to have been occasioned by Dr. Lundy. In truth it soon became manifest that if Dr. Lundy continued to hold his Offices in the College it could not prosper.

The Board of the Royal Institution having stated the number of matriculated students, proceed, with extraordinry hardihood, to assert that for this small number of students "an establishment of five Instructors and other Officers has been 'created.' Whereas it is manifest that this could not be the case. An establishment of Professors, &c. was created by the Governors before it was known or could be known what number of students would matriculate. Establishments of this description cannot be and are not made for any given number of students ; and we feel confident it will be allowed that a College could not be put into operation with a smaller number of Professors and Teachers than that which constituted the Establishment of M'Gill College at its first opening. It could not be expected that in this country, where the education of youth is generally considered to be finished at the age of sixteen or seventeen years, when they almost uniformly go to the Counting house, the Lawyer's Office, or the Surgery of the Medical man ;—it could not, we say, be expected that an University into which the youth are not properly fit to enter until the time arrives when they go directly from the Grammar School to their Trades or Professions, can receive many students at the outset,—at least any number at all proportionate to the necessary establishment of Professors, Teachers and Officers, until the public taste, and the custom of the country, in this respect undergo a change. But what is to effect this change ? The bringing into operation and maintaining Universities, although at a cost altogether disproportionate to the number of students for probably a number of years. We are credibly informed that Windsor College, Nova Scotia, although established for many years, has sometimes had only twelve matriculated students at one time, within the last ten years.

lege, as set forth in the Statutes. It seems evident then that truth and justice required a different statement, on this point also, from that which has been made by the Board of the Royal Institution.

In one part of their address the Board mention me as being "a Governor in consequence of his holding the *interim* appointment of Principal." In another, they say "Dr. Bethune was never appointed *except temporarily*, and his appointment has never received the *necessary* sanction of Her Majesty's Government." In reply to the first part of this allegation I shall simply quote the following words from my Commission from the Governors: "to have, hold, exercise, "and enjoy the said office of Principal therein, during our pleasure," and add, that the appointments of all the Officers of the College are made in the same way, namely, during pleasure. I may also add that my appointment as Principal was notified to Her Majesty, along with those of the Professors, through Your Excellency, in July, 1843, and that, if the Governors considered my appointment to have been only "*ad interim*," or "*pro tempore*," they would not have included it in that notification. (See also documents marked D. Nos. 1 and 2.) In reply to the second part of the assertion, I quote the words of the Charter from which Your Excellency will perceive that Her Majesty may *disallow* the appointment of Principal or Professors; but *that is a very different thing* from saying that Her Majesty's sanction is *necessary*. An Act which Your Excellency sanctions in the name of Her Majesty may be *disallowed*, within a certain period, by Her Majesty; but it does not follow from thence that Her Majesty's personal sanction is *necessary* to make it law in the mean time. The Charter, after providing for the election of a Principal and Professors "by the said Governors, or by the major part of such of them as shall be present at any meeting to be holden for such election," provides that such appointments shall be notified "to us, our heirs and successors," and "*in case* that we, our heirs, &c., shall disapprove of any person so elected, and shall cause such disapprobation to be notified to him," &c., "he shall cease to hold the office," &c.

These assertions then of the Board with respect to the tenure of my office are not correct, and it cannot be said or supposed that they had *not* the means of *knowing* that they are not correct. Truth and justice required a different statement at their hands.

In another part of their Address the Board make the following assertions with regard to me: "He appears, moreover, to be in debt to the Institution,—to have collected monies belonging to the College estate, for doing which no authority appears as given to him in the College books, and to have entered no account of such intromissions in the Books of the Bursar." In reply to these assertions I refer to documents annexed, marked E. and F. From that which is marked E,

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it will appear that when the Board asserted I appeared to be "in debt  
" to the Institution," the College owed me the sum of £616 13s. 8d. ;  
and from that which is marked F, a copy of which has been in pos-  
session of the Board since the early part of the year 1837, it is clear  
that the proceeds of the *Burnside* estate belonged to me until the Col-  
lege should "be completed and brought into actual operation."

The College books, which contain the record of the Resolution of  
the Governors to this effect, were, moreover, before the Board when  
they asserted that no authority for my collecting monies belonging to  
the College estate appears as given to me in the College books.

In the "Minute from Proceedings of the Board," they go into some  
particulars on the subject. They assert that I gave up possession of  
*Burnside* estate in May, 1840. But the fact is, that when the Board  
of the Royal Institution persuaded Sir J. Colborne, in June, 1839, to  
adopt their favorite scheme of opening a *School* in the house at *Burn-  
side*, although I opposed the scheme, as one to which the bequest of  
the Testator could not be legally applied, I nevertheless agreed to  
vacate the premises on the first November following, for the purpose  
of enabling Sir John Colborne, on his own personal responsibility, to  
put the aforesaid *School* into operation pending the erection of the  
College buildings, which it was then agreed should be erected forth-  
with ; and I took a lease of the house in which I at present reside.  
Before, however, I had vacated the premises of *Burnside*, circum-  
stances induced Sir J. Colborne to abandon the *School scheme* ; and,  
by his particular request, I retained possession of *Burnside*, although  
I did not occupy it after the 1st November, 1839. They were unoc-  
cupied during the ensuing winter.

The Board further assert that "a paper in Dr. Bethune's hand-  
writing was subsequently produced, purporting to be a statement of  
"the sums received by him from *Burnside* estate from May, 1841, to  
"May, 1843, and of the expenditure of a part thereof." The annexed  
document, marked G, proves that this "paper" is a regular audited  
account, rendered by me to the Governors, at their meeting in July,  
1843, of my receipts and disbursements anent the *Burnside* estate,  
from 1st May, 1840, (not 1841 as they assert,) to 1st May, 1843, shew-  
ing that my average net income from that estate during 3½ years, that  
is, from 1st November, 1839, when I vacated the premises, to 1st May,  
1843, was £19 4s. 10½d. per annum. The Board, who allow their  
Secretary £100 per annum, ought surely not to object to my receiving  
about £20 per annum, for doing the same work, at least, for the  
Governors, that he did for *them*—for I believe the whole of his work,  
from 1837 to 1843, began and ended in his correspondence with me.  
The annexed document, marked H, will shew that the net receipts of  
*Burnside* estate from August, 1843, to May, 1844, (since which pay-  
ment from that quarter has ceased) have been carried in the College

books, to the debit of the salary granted to me as Principal and Professor of Divinity by the Governors, at their meeting in July, 1843.

The Board further assert, that "from other sources of information, " the Board have ascertained that Dr. Bethune has not debited himself "with a sum of £15, received by him in the year ending 1st May, " 1843, nor does his statement shew what sums have been derived "from renting the fields of *Burnside* as pasture or for grass, while he "takes credit for £40 as remaining due to him by the Royal Institution at the period of his giving up *Burnside*, which sum he had "agreed, by his letter of the 26th March, 1839, to allow to be deducted from his other demand, and accepted the residue in satisfaction of his claim."

Your Excellency will by this time perceive that it ought not to have appeared to be of any sort of consequence to the Board whether the circumstances mentioned in the foregoing statement were true or not, because they knew I was entitled to the whole of the proceeds of the *Burnside* estate, *by the authority of the Governors*. And with this answer I might rest satisfied, as a sufficient exculpation from any blame in the matter. But I prefer meeting every item of their charge fairly in the face. With regard to the sum of £15, the first item in the above charge, as the Board do not state what are their "sources" of information" relative to that, I can make no other answer than a simple denial.

With regard to the second item, I assert that the gross amount of receipts with which I have charged myself, comprehends all rents derived from the house, garden and fields. With regard to the third item, I have to say that in the month of December, 1838, I sent an account to the Royal Institution of disbursements which I had made on the premises at *Burnside*, amounting to £160, audited by two respectable gentlemen in the neighborhood, and ordered by the Governors to be paid, as certified by the signature of Sir John Colborne. The Board as usual, made many objections; and finally I offered to deduct the sum of £40, if they would make an immediate settlement; *but the Board refused*. When, however, I was about to vacate *Burnside*, more than six months afterwards, the Board agreed to pay my account; but to my great surprise they deducted the £40 without my consent. I received the balance *on account*, as my receipt will shew, and carried the £40 to my own credit. Truth and justice required a different statement, on these points also, at the hands of the Board of the Royal Institution.

The Board next assert in the "Minute from Proceedings," &c. "that possession of the *Burnside* property was given to Mr. Pelton by "Dr. Bethune, under color of the arrangement for a long lease of the "property begun in 1842, but never perfected with the sanction of "the Board."—In reply to this assertion I shall simply refer to the annexed document, marked K, Nos. 1 and 2.

The Board of the Royal Institution assert, in the "Minute," that my conduct in refusing to recognize their authority as Visitors was "contumacious," and that *that* ground, added to the other facts, &c. would have "led them to close their inquiry by an unanimous judgment "of suspension or deprivation." The *other facts*, &c. brought before them were not tried, and they could not have pretended to any authority under which they could have proceeded to pronounce such a judgment upon those facts as proved, unless an investigation of them had taken place in my presence; and such an investigation must necessarily have been had, if at all, *in the first instance*, not before the Visitors, but before the Governors. The only ground, then, upon which the Visitors could have proceeded to pronounce judgment of suspension or deprivation upon me, must have been that of *contumacy*. And of contumacy for what? For denying, on the highest legal authority in the District, and *in concert* with that authority, that the members of the Royal Institution are the legal Visitors of McGill College. And here I may remark on the want of impartiality on the part of the Principal of the Board of the Royal Institution, who, as a Governor of McGill College, gave it as his opinion in the month of September last, that the late Vice Principal was *justified* in absenting himself from the meetings of the Caput, because he denied the legality of the constitution of that body, *in opposition* to the opinion of the same highest legal authority in this District and Governor of the College, the Chief Justice of Montreal.

It is also stated, in the "Minute from proceedings of the Board of the Royal Institution," that the Acting Principal has not only wholly denied the Visitatorial authority of the Board when summoned to appear before them, and give information respecting the management of the Institution, and, in particular, respecting matters in which his own conduct was impugned, but he has threatened the Board with legal proceedings as for a trespass, in entering McGill College. In reply to the first of these charges I have to say that, as a Governor of the College, I could not obey their summons without compromising a principle upon which the Chief Justice of Montreal and I had agreed to act; and which, I suppose, will be fully set forth in our reply to those parts of the Report which apply to us jointly. With respect to the second charge, the Board have themselves pronounced that some of the complaints made against me arose "from differences in points of "discipline," &c., and some of them "of too *trivial* and *vague* a "nature to *require* investigation;" in short, that the "Board as *Visitors*, are not called upon to enquire into them."\* But notwithstanding

\* A reputation of these charges was drawn up, and signed by all the officers of the College, of their own accord, and sent to each Member of the Royal Institution. I have no copy of it, and can only state the fact.

ing all this, it is insinuated that these very complaints against me were at the bottom of my resistance to the summons of the Board ! complaints, of the nature of which I was not aware until the day after I had entered my protest.

With respect to the third charge, I have to say that I did not threaten the Board with legal proceedings as for a trespass in entering the College. I protested against the whole proceeding on the ground, supposing them to be Visitors, that they had no authority to hold a meeting in Montreal.

The 6th clause of the Act 41st George III. chap. 17, authorizes the Governor of the Province "by an instrument or instruments under "the Great Seal of the Province \* \* \* to fix the place, times, and "manner, in which the said Corporation shall assemble." There is such an "instrument" fixing *Quebec* as the place of Meeting, but no such instrument authorizes the Board of the Royal Institution to meet at Montreal.

I also protested against their whole proceeding, on the ground that I did not admit them to be the legal Visitors of McGill College, "reserving my right of action against them in my capacity of a Governor "of McGill College, for trespass or forcible entry." *Reserving* one's right of action, and *threatening* legal proceedings, are two very different things.

It is more than insinuated that two of the Officers of the College were influenced by me to appear before them under protest ; whereas the truth is that those Officers were advised by the Chief Justice of Montreal and myself not to refuse the summons of the Board, but to give them every possible information, because they could compromise no principle thereby.—(See annexed document, marked I.)\*

I believe I have now replied to all the allegations made against me in my separate and individual capacity by the Board of the Royal Institution ; and I shall abstain from any observation on the whole proceeding of the Board until an opportunity shall be afforded me of doing so in conjunction with the Chief Justice of Montreal. I cannot, however, allow the calumny uttered by the Board of the Royal Institution against the Chief Justice of Montreal to pass unnoticed by me. "The Chief Justice of Montreal" (say they) "is unwilling, as a Roman Catholic, to interfere more than he can avoid in the government of a Protestant Institution." In answer to this most uncalled for allegation, it is sufficient to say that the Chief Justice of Montreal has discharged his duty as Governor of McGill College as fully and as impartially as he could have done had he been a member of the Church of England ; and that it might have very materially advanced

\* The Governors applied to the Royal Institution for a copy of the evidence taken by them at their Visitation of the College, which was refused.

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the interests of the College, had *any one* of the members of the Board of the Royal Institution exhibited the tithe of the *zeal*, in its behalf, which has been uniformly manifested by the Honorable the Chief Justice of Montreal. Accusations of this sort come with a peculiarly bad grace from such an *inert* body as the Board of the Royal Institution have ever proved themselves to be. Their object, in this case, has led them beyond the bounds of common prudence,—that object is "the practical result" which they desire to establish, viz: that the whole management of the Institution is "in the hands of Dr. Bethune."

I have the honor to be,

Your Excellency's

Most obedient humble servant,

(Signed,) *JOHN BETHUNE, D. D.,*

*Principal, McGill College.*

Montreal, 5th February, 1845.

[*Enclosures.*]

A. No. 1.

McGILL COLLEGE, 31st January, 1845.

MY DEAR SIR,—With reference to the "united testimony" stated by the Board of the Royal Institution in its Address to His Excellency the Governor General, dated Quebec, December 11th, 1844, to have been given by the Officers of the College relative to the want of public confidence in the Principal, I beg to inform you that I gave no testimony whatever on the subject.

I remain, my dear Sir,

Truly yours,

(Signed,) *JOSEPH ABBOTT,*

*Secy. McGill College.*

The Rev. John Bethune, D. D.

Principal, McGill College.

A. No. 2.

LAGAUCHETIÈRE STREET, 1st February, 1845.

REV. AND DEAR SIR,—I beg to say, in answer to your inquiry, that I was not examined before the Board of the Royal Institution during their late Visitation of McGill College, nor was I ever asked one question on College affairs at any time, as far as I can recollect, by any Member of that Board.

I have the honor to be,

Your most obedient servant,

(Signed,) *D. FALLOON,*

*Lecturer in Divinity, McGill College.*

The Rev. Dr. Bethune;

&c. &c. &c.

(True Copies.)

*J. J. C. ABBOTT,*

*Actg. Secy. McGill College.*

B.

(Copy.)

McGILL COLLEGE,  
30th January, 1845.

MY DEAR SIR,—As near as I can recollect, the following was the substance of that part of my communication to the Royal Institution which related to yourself :

“ Among the causes of the present unprosperous state of the College, “ I reckon the unpopularity of the Principal. How this unpopularity “ has been obtained I am not prepared to say, but that it exists to a “ considerable extent I have good grounds for believing. I must, “ however, state that I have myself seen nothing in the conduct of “ the Principal to justify the feelings which appear to be entertained “ against him in the public mind.”

You doubtless are aware that this remark of mine was part of an answer given by me to the following question proposed by the Board :

What do you consider the main causes of the present unprosperous condition of this Institution ?\*

I remain, &c,

(Signed,) W. WICKES,

*Professor of Mathematics.*

The Rev. the Principal

of McGill College.

(A true copy.)

J. J. C. ABBOTT,

*Actg. Secy. McGill College.*

C.

(Copy)

McGILL COLLEGE,  
1st February, 1845.

REV. SIR,—The following is a copy of a statement I made respecting yourself and furnished in writing to the Board of the Royal Institution, at their late Visitation.

“ The Principal of the College had not been a Member of any University, was unacquainted with University business, and thus did not enjoy that confidence at the hands of the public of which a man placed in so distinguished a position at the first starting of a new Institution ought to be possessed. The whole conduct and management was entrusted to Prof. Lundy, who at the time was very unpopular, and respecting whom very injurious reports, whether justly or unjustly, were in circulation.”

\* Mr. Wickes remained in the presence of another person, after he had sent me the above letter, and when he gave the evidence therein mentioned, he had no idea that it would ever be given to my knowledge,—or words to that effect.

These are to the best of my belief the exact words I made use of ; I can at least, however, be sure of their containing the sense of what I stated.

I have the honor to be, &c,

(Signed,) ED. CHAPMAN.

The Rev. the Principal  
of McGill College.  
(A true copy.)

J. J. C. ABBOTT,  
*Actg. Secy. McGill College.*

D. No. 1.

MONTREAL, 14th February, 1845.

I do hereby certify that at a Meeting of the Governors of M'Gill College, on the 13th July, 1843, the appointment of the Rev. John Bethune, D. D., to the Office of Principal of said College, was intended to be made and was made as permanent as it is in the power of the Governors to make that or any other appointment.

(Signed,) VALLIÈRES DE ST. RÉAL,  
*Ch. J. Montreal, and  
Governor of McGill College.*

(A true copy.)

J. J. C. ABBOTT,  
*Actg. Secy. McGill College.*

D. No. 2.

TORONTO, 19th February, 1845.

SIR,—In reply to your letter I have to state that I considered your appointment to be Principal of McGill College to be permanent in the same degree as the other appointments made at the same time. I have no copy of the Minutes of our Proceedings in July, 1843, but I think I recollect them clearly, and I have no impression on my mind that your appointment was intended to be otherwise than permanent. It appeared to the Chief Justice of Montreal and myself, that you had been appointed in fact, seven years before, by the Lord Bishop of Quebec, Dr. Stewart, and Chief Justice Reid, and the correspondence respecting that appointment was before us. If it were clear that that had been meant as a merely temporary appointment, still you had under it been for seven years exerting yourself strenuously to bring the College into operation, and considering that the resources of the Institution did not enable us to offer any remuneration that would induce a stranger to come from Europe, to accept the charge, it appeared to us to be fortunate that we could avail ourselves of the services of a person in your position in society as the nominal head of the

College—making such arrangement for the practical conduct of the Institution, under the superintendence of a Vice-Principal, as had been made in the College here.

I am, dear Sir,

Yours very faithfully,

(Signed,) \_\_\_\_\_

JNO. B. ROBINSON.

Rev. Dr. Bethune,

&c. &c. &c.

(A true copy.)

J. J. C. ABBOTT,

Actg. Secy. McGill College.

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E.

I certify that at the time of the Visitation of the Royal Institution in November last, the College was indebted to the Rev. Dr. Bethune in the sum of (£616 13s. 8d.) six hundred and sixteen pounds thirteen shillings and eight pence currency for monies actually paid, salary and liabilities incurred by him on account of the College.

J. J. C. ABBOTT,

Actg. Bursar, McGill College.

McGill College, 3rd February, 1845.

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F.

Extract from the Minutes of a Meeting of the Governors of M'Gill College, held at Quebec on the 14th November, 1836.

“Resolved, That as no certain term of lease can now be given of “said premises” (to wit, Burnside estate,) “the same be put in the “occupation and charge of the Principal of the College for the time “being, until the College be completed and brought into actual opera-“tion, on condition that the Principal shall keep the premises in the “same state of repair as he shall receive them.

“Adopted unanimously, and signed by the Chairman of the Meet-“ing.

(Signed,) “ GOSFORD,

“ Governor in Chief.”

(A true copy.)

J. J. C. ABBOTT,

Actg. Secy. McGill College.

3rd February, 1845.

## G.

*The Burnside Farm in account with the Principal of McGill College.*

## Dr.

1839.

	£ s. d.
To balance of account not paid by Royal In- stitution,.....	40 0 0
May 17.—To paid Insurance on House,.....	2 10 0
Dec. 17.—To paid City Tax,.....	2 0 0

1840.

April 29.—To paid Insurance on House,.....	2 10 0
May 9.—To paid Bourdon, for repairs,.....	2 12 2
Nov. 21.—To paid Bethune and Kittson for advertising and leasing property at auction,.....	4 19 1

1841.

April 29.—To paid Insurance on House,.....	2 10 0
June 1.—To paid City Taxes,.....	3 15 0
Dec. 24.—To paid Bourdon, for repairs,.....	2 8 6

1842.

To paid Bourdon's account for making fences, March, —To paid expenses of a journey to Kingston, on the business of the University,.....	49 9 11
April 13.—To paid City Tax,.....	7 10 0
" 29.—To paid Insurance on House,.....	7 0 0
July 1.—To paid Chimney money,.....	2 16 9
Sept. —To paid expenses of a journey to Kingston, on the business of the University,.....	0 7 6
Nov. —To paid expenses to Toronto, on the business of the University,.....	6 0 0
" 14.—To paid Bourdon, for repairs,.....	8 0 0
	0 11 8

1843.

To paid Pelton's account for expenses on ar- rears of sale to him,.....	11 7 5
May, —To paid City Tax,.....	10 5 0
To balance received by the Principal in $3\frac{1}{2}$ years, making an average of £19 4s. 10 $\frac{1}{4}$ d. per annum,.....	67 7 0

£225 0 0

## Cr.

1841.

May 1.—By rents to date,.....	80 0 0
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1842.

May 1.—By rents to date,.....	80 0 0
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1843.

May 1.—By rents to date,.....	65 0 0
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£225 0 0

I have compared this account with the original vouchers, and certify that they agree.

(Signed,) F. J. LUNDY,  
*Actg. Secy. McGill College.*

(A true copy.)

J. J. C. ABBOTT,  
*Actg. Bursar, McGill College.*

3rd February, 1845.

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H.

I hereby certify that the amount of the proceeds of the rent of Burnside estate, from August 1st, 1843, to May 1st, 1844, viz: for three quarters of a year, has been carried to the debit of Dr. Bethune's account in the College Books.

J. J. C. ABBOTT,  
*Actg. Bursar, McGill College.*

February 3rd, 1845.

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I.

MCGILL COLLEGE,  
4th February, 1845.

We, the undersigned, hereby declare that we were not influenced, either directly or indirectly, by the Principal of the College, in going before the Board of the Royal Institution *under protest*, at their Visitation in November last.

(Signed,) W. WICKES,

*Professor of Mathematics.*

E. CHAPMAN,

*Lecturer, McGill College.*

(A true copy.)

J. J. C. ABBOTT,

*Acting Secretary.*

—  
K. No. 1.

(Copy.)

MONTRÉAL, 5th February, 1845.

REV. SIR,—I have to acknowledge the receipt of your letter of the 31st ult., requesting to be informed, 1stly, by whose authority I consider myself to have been put in possession of *Burnside*; and 2ndly, the period up to which I have paid rent.

In reply to the first question, I have to state that the sale of *Burnside* in 1842, was after mature consideration, effected by the authority of the Board of the Royal Institution. A plan of the ground, the conditions of sale, and every particular relative thereto, having been

previously submitted to the said Board for its approbation ; and that directions for the sale of the said property were finally forwarded to the Governors of McGill College in a letter written by the authority of the said Board, dated April, 1842, and signed by the Rev. Mr. Burrage, Secretary to the Royal Institution.

The sale took place on the premises on the day advertised, in the presence of a number of citizens, and was conducted throughout under the direction of the Governors of McGill College, represented by the Principal of said College on behalf of himself and remaining Governors, whose sanction to the sale had previously been obtained ; and it was duly awarded to me as the highest bidder, and the possession of the property was by virtue of the conditions of the said sale, vested in me instanter.

\* \* \* \* \*

The amount of rent paid to you from the 1st May, 1842, to the 1st May, 1844, is £200, which includes sundry repairs of the house, fences, &c.

I remain, Rev'd Sir, &c.

(Signed,) *J. PELTON.*

The Rev. Dr. Bethune, &c. &c. &c.

(A true copy.)

Jos. ABBOTT,

Acting Secretary.

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K. No. 2.

ROYAL INSTITUTION OFFICE,  
Quebec, 19th April, 1842.

To the Rev'd Dr. Bethune, D. D.,  
Principal M'Gill College,  
Montreal.

Sir,—Your letter of the 15th instant has been laid before a Special Meeting of the Board of the Royal Institution held this day. I am directed to inform you, in reply, that the Board concur in the arrangement and valuation proposed in your letter with respect to the disposal of  $25\frac{1}{2}$  acres of the *Burnside* estate. The Board suggest that it should be ascertained previously to the sale, what terms can be made with the Seminary for the adjustment of any claim that they may have in respect to the property to be so disposed of. The Board propose to

communicate further with you in regard to the other property in time for the sale of the 28th instant.

I have the honor to be, Sir,

Your most obedient serv't,

(Signed,) *R. R. BURRAGE,*

*Secretary, R. I.*

(True copy.)

(Signed,) *JOSHUA PELTON.*

(A true copy.)

*JOS. ABBOTT,*

*Acting Sec'y McGill College.*

The address of the Royal Institution and my reply thereto, were duly forwarded to the Secretary of State by the Governor General ; and I received the following communication, in due course, relative thereto :

" CIVIL SECRETARY'S OFFICE,

" Montreal, 15th May, 1845.

" REVEREND SIR,

" The Governor General having transmitted to Her Majesty's Secretary of State, copies of certain documents received from you on the question of your permanent appointment to the office of Principal of McGill College, I am directed to inform you that a despatch in reply has been received from Her Majesty's Secretary of State, and that His Lordship declines to interfere in the controversy which has unhappily arisen between the Governors of the College and the Board of the Royal Institution.

" I have the honor to be,

" Rev. Sir,

" Your most obedient humble servant,"

(Signed,) *J. M. HIGGINSON.*

Here then was a failure of this attempt to get me out of office.

The following letter from the Bishop to the Chief Justice of Montreal, dated Quebec 15th March, 1845, may be considered in the light of at least a *demonstration* towards the same object :—“ The reception of an official notice to attend a meeting of the Governors of McGill College at Montreal, on the 26th of the present month, reminds me that I ought to inform you, as the Senior Governor resident in that City, of a step which I some

" time ago, felt it necessary to take in relation to such " meetings."

" The dissatisfaction with which I am compelled to " view the proceedings of the Reverend Dr. Bethune in " his discharge of the duties of Principal of the College, " and thence, *ex officio*, as one of the Governors, has " been such as to prompt me to signify to His Excellen- " cy the Governor General, my purpose of abstaining " from taking my seat at the Board, so long as Dr. Be- " thune continues in office."

The Chief Justice replied to this announcement, on the 18th of the same month:—" I respectfully acknowledge " the receipt of your letter of the 15th instant, signify- " ing your intention of abstaining from taking your seat " at the Board, as a Governor of McGill College, so long " as Dr. Bethune continues in office.

" I have the honor to be,  
" &c. &c."

This announcement producing no perceptible effect, I remained unmolested until I received a letter from the Bishop of Montreal, dated 20th September, 1845, in which His Lordship says:—" A report being current which " it is highly important that I should have authority to " contradict,—namely that you have appropriated to " your own use, upon the alleged ground of your being " entitled to a Salary as Professor of Divinity in McGill " College, a sum exceeding £200, out of the amount re- " mitted to the Governors of the College at Montreal, by " the Board of the late Royal Institution, for the pay- " ment of certain demands, of which a list had been fur- " nished by the Bursar,—I am placed under the necessity " of requesting distinct information from you respecting " the facts of the case.

" It must be quite superfluous for me to state that this " is an imputation requiring imperatively to be wiped " off from the character of a gentleman occupying the " position which you hold in the Church,—the money " having been placed at the disposal of the Governors in " Montreal, simply, solely and expressly for the object of " satisfying demands, of which the specific statement had " been officially furnished for that end ; and in faith, as " none of the parties concerned could possibly fail to be

" aware, of its being applied to that purpose and no  
" other.

" I may forbear, therefore, from pointing out the aggra-  
" vation of this charge which arises from the circumstance  
" of your not being entitled to a salary as Professor—  
" it being manifest that no such payment is borne out by  
" the Minute of the Governors upon the subject, compar-  
" ed with the actual condition of the funds available for  
" the support of the College—add to which that the fact  
" of your performing *gratuitously* the different duties  
" which you have undertaken, in connection with that In-  
" stitution, is the only ground which has justified or could  
" justify me in forbearing to insist upon your keeping a  
" Curate in the Parish, in order to supply the deficiencies  
" caused by the occupation of your time in College af-  
" fairs."

Feeling that the *charge* involved in the *report* was, not that I had received money on account of my salary as an Officer of the College, but that I had, *of myself*, without any other authority appropriated to my own use, money which was distinctly given for other purposes, I contented myself with simply denying the *truth* of the *Report*—and with stating that " Your Lordship is in error in sup-  
" posing that any money remitted by the late Board of  
" the Royal Institution to the Governors of McGill Col-  
" lege, at any time, was remitted on any other terms than  
" that it should be at the absolute disposal of the two  
" Governors resident in Montreal, who always refused to  
" receive money from the Royal Institution on any other  
" terms—and that Your Lordship is equally in error in  
" supposing that I was not entitled to the payment of my  
" salary as Professor of Divinity on the ground of the  
" state of the College funds."

His Lordship was not satisfied with this answer, and I consequently sent him the following documents.

" MONTREAL, 4th October, 1845.

" REVEREND SIR,

" I always considered that your Salary as Principal and Pro-  
" fessor of Divinity of McGill College was as justly due to you as  
" that of any other Officer of the Institution. It was not because the  
" College had not sufficient means to pay you, that you were not paid  
" until January last, but because those means were withheld by the  
" Royal Institution; and when that body remitted to the Governors

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" the sum of £1,550, we directed all the Salaries to be paid in full ;  
 " and we did so in the persuasion that we had a right to do what we  
 " pleased with our own.

" We always considered all monies remitted to us by the Royal In-  
 " stitution to be at our own absolute disposal for the use of the College ;  
 " indeed, we have refused to receive remittances on any other terms.

" I am,

" Rev. Sir,

" Your most obedient servant,

(Signed,) " VALLIÈRES DE ST. RÉAL,

" Chief Justice of Montreal."

" REV. J. BETHUNE, D. D.

" Principal of McGill College."

" MCGILL COLLEGE, September 24, 1845.

" REVEREND SIR,

" In answer to certain questions you proposed to me to-day,  
 " I have to state :

" That a list of certain debts due by the College was sent to the  
 " Board of the Royal Institution, when the Board offered to advance  
 " money on the condition that it should be appropriated to the payment  
 " of some of them.

" That the Governors refused to accept this money unless it should  
 " be placed at their absolute disposal as to its distribution for College  
 " purposes.

" That the Board of the Royal Institution then placed £1,550 in my  
 " hands to be paid out by me on the orders of the two Governors re-  
 " sident in Montreal.

" That all that money was so paid by me, and not otherwise. That  
 " some of this money was paid by me, but not without the orders  
 " above adverted to, in liquidation of certain claims for Salaries not  
 " contained in that list, but adverted to generally at the foot of it, and  
 " for other purposes. I may remark, here, that no money is ever paid  
 " by me or by my deputy without the sanction of the two resident  
 " Governors ;

" And that when that distribution was made, £1000 more was  
 " speedily expected, in consequence of what the Bishop said to me  
 " when speaking about the College funds.

" I have the honor to be,

" Rev. Sir,

" Your obedient servant,

(Signed,) " JOSEPH ABBOTT,

" Bursar, McGill College.

" Rev. John Bethune, D. D.

" Principal of McGill College.

" **McGILL COLLEGE, 17th October, 1845.**

" P. S. The Governors being satisfied that the College possessed sufficient means for the payment of all the debts, including the Salaries then due, as well as for the payment of the Salaries of all the Officers in future, adopted the following rule of distribution of the funds then in hand.

- " 1. All notes of hand signed by one or more Governors.
- " 2. All arrears of Salary then due.
- " 3. All petty accounts in full.

" A detailed statement of the above was made out and ordered, under the signature of the resident Governors, to be paid. £100 was reserved for contingencies ; and with the rest, a proportion of each of the remaining accounts was paid. And had the expected additional £1000 been received, all that was then due would have been paid.

" I may add, as a proof that the Governors were right in their estimate, that statements in detail have recently been submitted by them to His Excellency the Governor General, shewing that the College possesses ample means for the payment of its debts, including the Salaries of all the Officers, as well as a sufficient income for carrying it on, on its present establishment, with an annual surplus of £244 for contingencies.

" **J. A.**

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The Bishop expressed himself *not satisfied* with these explanations, stating "that the transaction will now continue to be regarded precisely in the light in which it was placed" in his letter to me. His Lordship, some considerable time afterwards, stated that he held me responsible for the money which I had received in part payment of my salary from the College. This was used as an argument to induce me to contribute to the salary of an additional assistant in my Church, for whom an application had been made to His Lordship in a different quarter.

I heard nothing more of any attempts to remove me from office, until the 24th April last, when, in my capacity of a Governor, I received, from the Secretary of the College, communication of a Despatch from the Secretary of State to His Excellency the Governor General, announcing that Mr. Gladstone had "come to the conclusion that it is his duty to recommend to Her Majesty to disallow" my appointment to the offices of Principal and Professor of Divinity, for the following reasons :

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1. "The weight of the Bishop's authority, together with that of the Governor General.
2. "The fact that Dr. Bethune did not himself receive an University education.
3. "That he cannot think it expedient that the office of Principal and Professor of Divinity in McGill College should be combined with that of Rector of Montreal."

It is perfectly evident that the two last reasons should have operated as powerfully to prevent my appointment at all, as to procure its disallowance after the lapse of nearly three years. It consequently appeared to me that the sole cause of that disallowance must be sought for in the first reason assigned, and as I was not aware of the nature of any communications which had been made to the Secretary of State by the Bishop or the Governor General relative to my appointment, I requested to be furnished with a copy of such correspondence as had passed on the subject, and the Civil Secretary replied on the 2nd May, 1846:—"I am directed by His Excellency to inform you that it is not in his power to comply with your desire; not only because the correspondence referred to was of a private and confidential character, which precludes the propriety of its being made public; but also, because it is contrary to usage, to communicate Despatches addressed by the Governor General to Her Majesty's Secretary of State; and His Excellency is unwilling to establish a precedent in this case, which might be attended with inconvenience to the public service."

I take it for granted that the words "*of a private and confidential character*" are meant to be applied to the communication of the Bishop to the Governor General, and that the communications of His Excellency to the Secretary of State were made on the *authority* of the Bishop.

Upon the propriety of this proceeding of the Bishop, I may possibly be *singular* in my opinion, or my judgment may be warped by my feelings of personal interest in the matter; but it does strike me very strongly, to give it the softest epithet which it appears to me to merit, that it is *very wrong*.

In the letter of the Civil Secretary to the Secretary of

McGill College, of the 24th April last, he says: "I have  
 "the honor, by command of the Governor General, to  
 "acquaint you, for the information of the Governors of  
 "McGill College, that His Lordship has received a Des-  
 "patch from Her Majesty's Secretary of State, in which  
 "it is stated that Mr. Gladstone having had under re-  
 "view the correspondence that has passed between the  
 "Head of the Provincial Government and the Secretary  
 "of State, on the subject of McGill College, is of opinion  
 "that the question which calls for his immediate decision  
 "is that of the continuance in the office of Principal, and  
 "in the Professorship of Divinity, of the present holder,  
 "the Reverend Dr. Bethune." It must be perfectly evi-  
 dent that the *correspondence*, here alluded to, had refe-  
 rence to other matters, in relation to the College, than  
 my appointment, and as the subject matter of that cor-  
 respondence had never been submitted to the other Go-  
 vernors of the College, nor had any intimation been given  
 to them of the existence of such correspondence ; and,  
 moreover, as no correspondence, on the business of the  
 College, could properly be had with the Secretary of  
 State, by any one or more Governors without the con-  
 sent of the Corporation expressed at a meeting, it follows  
 that the proceeding was of a clandestine character, and  
 therefore wrong. It is but justice to state that the Head  
 of the Government had never acted as a Governor of the  
 College, and was, consequently, in this matter, convey-  
 ing, as Governor of the country, to the Secretary of  
 State, the representations made by the Bishop, and it  
 may be, the impressions made upon his mind by the  
 weight of His Lordship's authority. In both cases, then,  
 it appears to me that the Bishop was wrong, although  
 the *wrong* is not, in each case, of the same *character*.

It is now necessary to revert, briefly, to the proceed-  
 ings of the Board of the Royal Institution subsequently  
 to the passing of the Act, in the Session of 1845, grant-  
 ing additional powers to that Body, in the disposal of  
 the property of the College for its benefit. The Board  
 was re-organised, and constituted of persons resident in  
 Montreal, leaving out all the old members, with *one ex-  
 ception*. Upon the principle, I suppose, that *a little leaven  
 leaveneth the whole lump*, the new Board appear to have  
 immediately adopted the whole of the controversy of

their predecessors with the Governors of the College. They held no communication with them, and proceeded as if such a Body as the Governors had no existence, until called upon for the means of paying the Salaries of the Officers, and other expenses of the College. They replied that they had paid over all the monies arising from the bequest of Mr. McGill, to the Receiver General of the Province, in accordance, as they alleged, with a provision in the Act which gave them existence. An application was then made to the Governor General by the Governors of the College for those funds, which resulted in a refusal, on the ground that the expenditure had been made under Statutes wanting the Royal confirmation required by the Charter. As some legal questions, arising out of these proceedings, are in the course of decision in the Court of Queen's Bench, I shall make no remark upon them now. I was, however, under the necessity of either becoming responsible personally, for a considerable sum, or of closing the doors of the College. I chose the former alternative, and that responsibility is now the cause of considerable embarrassment. (See Appendix No. 3.)

To sum up the whole matter, it appears that the late Board of the Royal Institution embarrassed the proceedings of the Governors, and materially damaged the interests and prosperity of the College:

1. By unnecessarily delaying the erection of the requisite College Buildings for so long a period as to exhaust the patience of the public, and thus lead to the establishment of the High School.
2. By claiming a control over the Governors of the College to which no independent Body could possibly submit.
3. By refusing to the Governors the necessary funds for completing what they (the Royal Institution) had left unfinished, before the College could be opened.
4. By refusing to pay the debts thus necessarily incurred by the Governors; and,
5. By allowing the Salaries of the Officers of the College to be always considerably in arrear.

That the present Board of the Royal Institution have done even worse than their predecessors; for since their

appointment to office, not one farthing has been paid to the Governors for carrying on the Institution ; (See Appendix No. 4.) And that the Bishop of Montreal has used his utmost endeavours to procure my removal from office :

1. By objections vaguely stated to the Governors, of which they took no notice.

2. By unfounded allegations made against me through the medium of the Royal Institution.

3. By the communication to Lord Metcalfe, and some time afterwards to the Governors, of his determination not to sit at the same Board with me ; and, failing in all these comparatively open attempts,

4. By means of secret communications "of a private and confidential character" to the Secretary of State, through the medium of the Head of the Government, unknown to me, and unknown also to any of the other Governors of the College who had ever acted as such.

I shall abstain from making any other remark upon the character of such a proceeding than to say that if it be sustained by the College authorities, it may be difficult to find any man willing to put his reputation to such a hazard, by accepting office in that Institution.

In conclusion, I would be permitted to ask what has been the crime for which I have been forced to endure this punishment ? If to have been mainly instrumental in urging on the late Board of the Royal Institution to the erection of the necessary College Buildings, or preventing them from perverting the bequest of the late Mr. McGill to purposes never contemplated in his Will, and thus saving the bequest, be deserving of censure, then am I guilty. If to have laboured earnestly to connect McGill College as closely as possible with the Church in this Diocese, and that, in opposition to the expressed wishes of the Bishop and the Royal Institution, be deserving of censure, then again am I guilty. If involving myself in pecuniary embarrassments to keep the College open when its legitimate resources were withheld, be deserving of censure, then yet again am I guilty. And, finally if my conduct, as Principal, has called forth the censure or dissatisfaction of those who laboured with me, then might there be some cause of complaint ; but so far is this from being the case, that I refer to the testimonial,

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in this respect, in Appendix No. 5. It is but fair, however, to repeat here what I have already stated, that there was one Officer of the College who complained of my conduct to the Royal Institution; but serious charges against him had previously been preferred, through me as Principal, and his complaints were, no doubt, considered in the light of cross charges; at all events, they were declared to be too frivolous to render it necessary to make any inquiry into them.

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III.

## APPENDIX.

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### APPENDIX No. 1.

At a Meeting of the Corporation of the Governors, Principal and Fellows of McGill College, held on the 25th day of April, 1846,

*It was Resolved*, on motion of the Principal :

1. That whereas it is expedient in the government of McGill College, for the more satisfactory administration and management of its affairs, that certain alterations should be made in the Royal charter, upon which it is erected, and that, whereas such alterations cannot be made without the authority and consent of the Corporation of the Governors, Principal and Fellows, the said Charter ought to be amended in the following particulars :

I. The Governors of the College to consist of all the Clergy of the Church of England, now holding, or who may hereafter hold preferment in the Parish of Montreal, and of a certain number of Laymen of the Church of England, resident in the aforesaid Parish, to be named in the Charter.

2. Vacancies occasioned by the death, resignation, &c. of any of the Lay Governors shall be filled up from time to time by the majority of the Governors present at a Meeting.

3. The Bishop of the Diocese to be the Visitor of the College.

4. Appointments to office in the College not to be subject to disallowance, by any other authority than that of the Governors.

5. Statutes, Rules and Ordinances made by the Governors, to be in full force and effect until disallowed by the Judges of the Court of Queen's Bench, for the District of Montreal.

II. That a Committee be appointed to draft a Petition to Her Majesty the Queen, agreeably to the foregoing Resolution, and that the Principal, the Vice-Principal, and the Professor of Classical Literature, constitute such Committee.

III. That this Meeting do adjourn to Friday next.

PRESENT :—THE CHIEF JUSTICE.

THE PRINCIPAL.

Fellows, { REV. J. RAMSAY.  
" J. ABBOTT.

(Copy.)

No. 2.

"GOVERNMENT HOUSE,

"Montreal, 15th Oct., 1839.

"I have had the honor to bring under the notice of the Governor General, your letter of the 12th instant, stating that the Board of the Royal Institution had thought it their duty to refuse to the Medical Faculty of McGill College at Montreal, the sum of five hundred pounds, required by them in order to commence a Course of Medical Instruction in that Institution.

"On the eve of the Governor General's retirement from the Government of these Provinces, His Excellency does not think it necessary to make any observation upon the course adopted by the Institution in this instance, but His Excellency is so well convinced of the necessity of affording instruction to the Medical Students in this Province as regards not only their interests, but those of the community at large, that he will feel himself authorized to issue from the funds of the Province, such a sum as may be absolutely necessary to carry on the Lectures until the meeting of the Special Council, when provision can be made for that necessary object. His Excellency requests that you will acquaint the Board that it was his intention, had he remained in the Administration of the Government, to have remodelled that Body, and added to their number, so as to have rendered that institution a useful and active promoter of the public interests. His Excellency had farther intended to propose to the Special Council an Ordinance appropriating a sum of money towards the erection of McGill College.

"I have the honor to be, &c.,

(Signed,) "THOS. LEIGH GOLDIE,

"Civil Secretary."

"The Secretary of the  
"Royal Institution,  
"Quebec."

No. 3.

(Copy.)

"I hereby certify that the Rev. John Bethune, D. D., is personally liable to the payment of a debt amounting to upwards of £120, for fuel for McGill College during this current Collegiate year, viz: from the beginning of September, 1845, to this date."

(Signed,) "JOS. ABBOTT,

"Bursar, &c. McGill College.

"McGill College,  
"May 11th, 1846."

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" This is to certify that the Chief Justice of Upper Canada, the  
 " Chief Justice of Montreal, and the Principal of the College borrowed  
 " £500, for the purpose of procuring the necessary furniture for opening  
 " the College, for the repayment of which, together with nearly three  
 " years interest thereon, they are still individually liable ; that the  
 " Chief Justice of Montreal and the Principal of the College are per-  
 " sonally responsible also for the farther sum of nearly £100, for the  
 " out-buildings of the College ; and that the Principal, by his own  
 " individual means and credit, obtained and provided fuel for the  
 " College when the funds belonging to it were withheld during a con-  
 " siderable period.

(Signed,)      " JOS. ABBOTT,  
 " *Bursar, McGill College.*

" McGill College,  
 " May 27th, 1846."

No. 4.

Assets of the College, as stated by the Board of the Royal Institu-  
 tion, on the 15th November, 1845.

Montreal Bank Stock,.....	£ 912 0 0
Deposits in Banks,.....	1,191 9 8
<i>Rentes Constitués</i> —due,.....	48 0 0
Rent of House in New Market due,.....	62 10 0
Arrears of Rent of Burnside, per J. Pelton,.....	175 0 0
	£2,388 19 8

To this amount might be added, from Sale of £129

<i>Rentes Constitués</i> , which might be sold for,.....	£1,500 0 0
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Total available assets,.....	£3,888 19 8
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Total amount of debts due by the College, including all

Salaries due 1st October, 1845,.....	£2,754 10 9½
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Balance of funds,.....	£1,134 8 10½
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The above balance of £1,134 divided by three, would

give for three years, an annual income of,.....	£ 378 0 0
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Income from Real Estate,.....	732 0 0
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Total annual income,.....	£1,110 0 0
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Annual Expenditure of the College at the same period,

but now reduced:

For Salaries,.....	£ 915 0 0
For Contingencies,.....	173 0 0
	£1,088 0 0

It may here be remarked, that, reckoning according to the average prices already obtained for lots on Burnside, the income of the College might, with proper exertion, be increased to £3000 per annum, in three years.

No. 5.

" We, the undersigned, Officers of the University of McGill College, " from our personal knowledge, as far as we have respectively been " connected with it, do hereby certify that the Reverend John Bethune, " Doctor in Divinity, has performed the duties of his office of Principal " of this Institution with a zeal, ability and moderation only " equalled by his patient and enduring perseverance under circumstances " of great and harassing difficulty, and that the opening and " establishing of the College, and consequently its very existence, are " mainly to be ascribed, as we verily believe, to his active and indefatigable exertions."

(Signed,) " JOS. ABBOTT, A. M.,  
 " Vice Principal and Secretary.  
 (Signed,) " E. CHAPMAN,  
 " Late Professor of Classical Literature."

" McGill College,

" May 11th, 1846."

" My connection with McGill College has been of very recent date, " and I have no objections to add my testimony to the above."

(Signed,) " WILLIAM T. LEACH,  
 " Professor of Classical Literature,  
 " McG. C."