

(No. 24.)



1860.

T A S M A N I A.

ST. JOHN'S, NEW TOWN.

CORRESPONDENCE AND DOCUMENTS RELATIVE TO THE
OCCUPATION OF THE PARSONAGE HOUSE.

Laid upon the Table by Mr. Henty, and ordered by the Council to be printed,
August 16, 1860.



New Town Parsonage, 27th July, 1859.

SIR,

I HAVE the honor to acknowledge the receipt of your Memorandum, in which you inform me that you have been requested by the Governor to intimate to me, that in all probability my present residence may be required for the accommodation of the Superintendent of the Queen's Orphan Schools, on the transfer of the Schools to the Colonial Government.

In reply, I have only to say that His Excellency is, in all probability, unaware of the circumstances connected with my tenure of the residence; and although I need not give the whole of the correspondence which took place on the transfer of the Schools to the Imperial Government in 1844, having on a previous occasion forwarded the whole of it to your Office, yet I may be permitted to draw attention to the words of the concluding letter of the then Lieutenant-Governor, Sir Eardley Wilmot, dated Government House, January 16th, 1844:—
“Dear Sir,—After considerable discussion the following has been decided on respecting the Chaplaincy and Head Mastership of the Orphan Schools: ‘Rev. Mr. Ewing to retain the house and garden so long as he continues Chaplain to the Church at New Town, and then the house and garden to revert to the Orphan Schools,’ &c.”

And in another letter the reason for this continuance was given, “on account of my having expended £400 in improvements.”

I need scarcely add that this sum has been more than doubled since that period.

In 1848 it was intimated to the Superintendent (the late Captain Booth) by the Imperial Government, that he was to live nearer to the Schools; and again, about three years since, a similar intimation was given to the present Superintendent, to take up his residence at the Normal School, (then belonging to the Government),—but on neither occasion was it deemed necessary to perpetrate an injustice on an individual because the Superintendent was too far from the Institution.

I cannot, therefore, bring myself to believe that, when the case is properly known, the Colonial Government would premeditate a wrong which the Imperial Government never contemplated.

I have, &c.,

THOMAS J. EWING.

The Honourable the Comptroller-General.

P.S.—I may also state, that since the transfer, in 1844, £100 a year has been deducted from my salary in order to pay for a house for the Superintendent, though I was distinctly told by the Lieutenant-Governor, and afterwards promised in writing, that my salary should be the same as before.

THOS. J. E.

FORWARDED to the Honourable the Colonial Secretary. The Rev. Mr. Ewing appears to admit that his present residence was originally built for, and is hereafter to be, the residence of the Superintendent of the Schools; but that he received a promise from Governor Sir Eardley Wilmot that, so long as he remained Chaplain of New Town, he should be permitted to occupy it.

I have no knowledge of the sums which Mr. Ewing may have been compelled to expend on the building; but the building was reshingled at the cost of the School Fund.

W. NAIRN.

29 July, 1859.

Colonial Secretary's Office, 29th August, 1859.

SIR,

I HAVE the honor to acknowledge the receipt of the Rev. Mr. Ewing's letter addressed to yourself, together with your memorandum thereon, having reference to the house now occupied by Mr. Ewing in the neighbourhood of the Queen's Orphan Schools.

In reply, I beg to inform you that the house appears unquestionably to belong to the Colonial Government, and upon the transfer of the Orphan School it will be required for that Institution; I have, therefore, to request you will inform the Rev. Mr. Ewing that it will be necessary for him to vacate the premises by the end of the current year, or as much sooner as he can make it convenient.

I have, &c.,

B. TRAVERS SOLLY, *Assistant Colonial Secretary.*

The Comptroller-General of Convicts.

New Town Parsonage, 8th October, 1859.

SIR,

SOME time since I was favored by the Comptroller-General of Convicts with a letter which he had received from the Assistant Colonial Secretary, dated August 29th, 1859, in which he states that the house in which I reside appears unquestionably to belong to the Colonial Government. I have been induced by this statement to go more deeply into the matter; and I find that before October, 1835, plans for proposed residences for the Reverend Messrs. Palmer, Bedford, and Naylor had been forwarded to the then Colonial Secretary, who on the 2nd of that month called for a fresh design, upon a reduced scale, for a Parsonage at New Town, the estimate not to exceed £1000.

On the 11th of November in the same year, 1835, the Lieutenant-Governor considered in the Executive Council the necessity for erecting a Parsonage House for the Chaplain at New Town, and approved of a sum of money not exceeding £1000 being appropriated for this object, and the Colonial Secretary was directed to issue the necessary instructions.

On the 12th of November, I find, in a return of men attached to the Public Works at New Town, and how employed during the last fortnight, the following entry: 3 labourers making a drain to convey water to the Rev. Mr. Naylor's Glebe; 3 labourers, 9 days, working on Rev. Mr. Naylor's Glebe, and so on.

On the 25th November Sir George Arthur writes to the Colonial Secretary: "The enclosing of a certain number of acres for the Chaplain at New Town was approved, but I gave no authority for the employment of men in his Glebe or Garden."

In a Report of a Committee of inquiry into the state of the King's Orphan Schools, dated July 8th, 1837,—that is six months after the Rev. Mr. Naylor had taken up his residence in the Parsonage,—the gentlemen forming that Committee, including the Colonial Treasurer, the Solicitor-General, the Chief Police Magistrate, the Auditor, and several others, concur in recommending (if Mr. Naylor should deem some of the duties suggested as incompatible with his profession) that the salary of the Superintendent should be at least £400 a year, with apartments in the building, plainly showing that they, at least, never imagined that the Parsonage belonged to the Schools.

Lastly, on the 26th of August, 1844, I addressed a letter to the Bishop, which he forwarded to the Surveyor-General, applying for an Allotment in the Bush, which I understood traditionally to belong to the Church at New Town; and the following was the reply to the Bishop, 29th August, 1844:—"The only Glebe set apart for the Chaplain at New Town is that at present occupied by Mr. Ewing, the 10 acres upon which the Parsonage is built. S. G." Nothing, I think, can be clearer than this, both as to the Glebe and its extent, in the mind of the Surveyor-General, who of all others ought to have been best acquainted with the circumstances.

From the above I trust it will be seen that the Assistant Colonial Secretary was imperfectly informed as to the house belonging to the Colonial Government, and that I shall be excused for having placed the matter in its proper position.

I have the honor to be,
Sir,

Your very obedient Servant,
THOS. J. EWING.

The Honorable the Colonial Secretary.

MEMO.

THE Surveyor-General is requested to ascertain if there is any record of a communication to the Lord Bishop on the 29th August, 1844, on the subject Church Lands at New Town, either in the form of letter or memorandum.

B. TRAVERS SOLLY,
25 October, 1859.

YES; a copy of which I enclose. But I cannot discover any authority, either by the charts or other records, for the land in question being set apart as Glebe, and therefore cannot say upon what Mr. Power's statement was founded.

J. E. CALDER,
26 Oct. 1859.

COPY of Entry in Miscellaneous Transmissal Book in Survey Office.

REV. Thos. Ewing to the Bishop, 26th instant, as to right of certain Glebe, New Town, forwarded to Surveyor-General.

29 August,
1844. The
Bishop of
V. D. Land.

Surveyor-General:—The only Glebe set apart for the Chaplain at New Town is that at present occupied by Mr. Ewing; the 10 acres upon which the Parsonage is built.

Colonial Secretary's Office, 30th November, 1859.

SIR,

I BEG to acquaint you, with reference to the dwelling-house and appurtenances at New Town now occupied by you, that the property is held to be part of the Queen's Orphan School Establishment, but that, under the terms specially communicated to you by Sir E. Wilmot, it is not desired by the Government that your present occupation should be disturbed during your connection with the Institution.

I have, &c.,

WILLIAM HENTY.

The REV. T. J. EWING, New Town.

New Town Parsonage, 3rd December, 1859.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 30th ult., in which you state "that, under the terms specially communicated to you by Sir Eardley Wilmot, it is not desired by the Government that your personal occupation of the Parsonage should be disturbed during your connection with the Institution."

It appears to me unseemly for a private Clergyman to be contending with the Government for his rights; yet, though the same thing may be meant in reality, I must be permitted to state that the terms of Sir Eardley Wilmot's letters were: "as long as I continued Chaplain to the Church at New Town."

Lest, in accepting the decision of the Government, I may be thought to compromise the rights of others for whom I have no authority to act, I shall take the liberty of forwarding to my Ecclesiastical Superior a copy of the correspondence; and remain,

Sir,

Your very obedient Servant,
THOS. J. EWING.

The Honorable the Colonial Secretary.

Colonial Secretary's Office, 8th December, 1859.

SIR,

WITH reference to that portion of your letter of the 3rd instant, in which, referring to your tenure of your present residence, you state that the terms of Sir Eardley Wilmot's letters were "as long as you continued Chaplain to the Church at New Town," I deem it right to furnish you with an extract from the official letter addressed to you by Mr. Bicheno, under date the 18th January, 1844, and to which letter you replied in one of the same date addressed to His Excellency, expressing your thanks for his kindness :—

"His Excellency has also sanctioned your being permitted to occupy the Head Master's house so long as you remain the Chaplain to the Schools; in consideration of your having laid out £400 in improvements on the property."

From the foregoing extract you will perceive that Sir Eardley Wilmot's sanction referred to your connection with the Institution, as I mentioned in my former letter, and did not, as you suppose, relate to the duration of your Chaplaincy at New Town.

I have, &c.,

WILLIAM HENTY.

The Rev. T. J. EWING, New Town.

New Town Parsonage, 29th February, 1856.

SIR,

I HAVE the honour to draw your attention to the present state of the house in which I am residing. It has now been shingled for more than eighteen years, and the roof is in such bad repair that it admits the rain into every room but one. The north wing of the building is cracked from top to bottom, and every year this crack grows wider; especially has it done so during the last three months. I mention this from a sense of duty, not to avoid any just obligation on my own part, as I have always kept the inside in repair, having laid out during the last eight years more than one hundred and ten pounds in this way; and I am ready now to make a further outlay, but I feel that this would be useless whilst the exterior of the house is so dilapidated.

If it were a Parsonage properly so called, I am aware that I could apply for a loan under an Act of Council, to be repaid with interest by yearly instalments; but as the building has never been made over by the Government I must look to it as a landlord, and I have to request that the Director of Public Works (if the house is the property of the Colonial Government) or the Commanding Officer of Engineers (if the property of the Home Government) be directed to survey it.

I have, &c.,

THOS. J. EWING.

The Honourable the Colonial Secretary.

REFERRED to the Comptroller-General, the building having been, as I understand, transferred to the Convict Department.

W. CHAMP.
4 March, 1856.

THIS building has never, that I am aware, been transferred to the Convict Department. On the contrary, my impression is that it has always been retained as the residence of the Chaplain at New Town, who receives an annual allowance from Convict funds for his services at the Orphan School.

W. NAIRN.
6 February, 1856.

THE building is a portion of the Orphan Schools, and was formerly occupied by the Superintendent when that office was united with the Chaplaincy; and it is now only occupied on sufferance by the present Chaplain, on whose removal it will be again the residence of the Superintendent. The Colony, in point of fact, pays rent for it now at the rate of £100 per annum as allowance to the Superintendent in lieu of quarters. I think, therefore, that the building should be repaired by the Convict Department, in the same manner as the other buildings attached to the Schools, and the expense chargeable in the same way.

W. CHAMP.
2 April, 1856.

The Comptroller-General.

WILL the Commanding Royal Engineer have the goodness to report what repairs are required, and their probable cost?

W. NAIRN.
7 April, 1856.

Colonial Secretary's Office, 13th January, 1860.

REV. SIR,

I AM in due receipt of your letter of the 9th instant, and must express my surprise at its contents.

You assured me personally that I was to consider the key as delivered to me under a protest. I replied that I should desire to have the key itself, and your protest in writing could accompany it. Had I chosen to rely on the verbal communication, the matter would have been closed in my Office. Under these circumstances, I cannot but deem your letter very unsatisfactory.

Unless you feel yourself bound to accede to my request, and to deliver the key to me, I shall feel it my duty to lay the matter before the Executive Council at its next meeting.

I have, &c.

WM. HENTY.

The Rev. T. J. EWING.

Colonial Secretary's Office, 14th January, 1860.

SIR,

THE possession of the house and grounds on which you reside having, in conjunction with the other buildings and premises forming the Queen's Orphan Schools, been made over by the Imperial authorities to the Colonial Government, I have now to acquaint you that, in consideration of the intimation made to you by order of Lieutenant-Governor Sir Eardley Wilmot on the 18th January, 1844, you are now authorised to occupy the house and grounds where you reside so long as, in the terms of the above communication, you continue to hold the office of Chaplain and Religious Instructor to the Orphan School.

But this arrangement is upon the distinct intimation that, whenever you cease to hold the office of Religious Instructor to the Orphan Schools, the property is surrendered by you into the hands of the Colonial Government, which will be, as you are aware, in accordance with the tenor of the communication already alluded to.

I have the honor to be,

Sir,

Your very obedient Servant,

WM. HENTY.

The Rev. T. J. EWING, New Town.

New Town, 23rd January, 1860.

SIR,

THE Right Reverend the Lord Bishop of the Diocese has transmitted to us a series of Correspondence which has taken place between the Rev. T. J. Ewing, Chaplain of St. John's Church, New Town, and yourself as Colonial Secretary, from the 8th October, 1859, to the 9th of December ultimo inclusive, respecting the right of property in and occupancy of the New Town Glebe and Parsonage House, whether belonging to the Orphan School Establishment, or whether it be the property of the Church and the Parish, with the expression of His Lordship's trust that we will protect the Church property of which as Trustees we are legally in charge.

On perusal of the Correspondence we find it stated in Mr. Ewing's letter of the 8th October, 1859, that in October, 1835, Sir George Arthur approved of the erection of parsonage houses for the residences of the Rev. Messrs. Palmer, Bedford, and Naylor, the latter gentleman then Church of England Chaplain for New Town; that, on the 11th of November of the same year, the Lieutenant-Governor considered in the Executive Council the necessity for erecting a Parsonage House for the Chaplain at New Town, and approved of a sum not exceeding £1000 being appropriated for its erection, the then Colonial Secretary being directed

to issue the necessary instructions to carry out such decision, the records of which transactions we presume being duly deposited in your Office.

Other documentary evidence is referred to in that letter, showing that in the same year Sir George Arthur approved of a certain number of acres being enclosed as a Glebe for the Chaplain at New Town; and which is recorded and confirmed by a Memorandum of the Surveyor-General of the 29th of August, 1844, "as the 10 acres on which the Parsonage is built in the occupation of Mr. Ewing."

It is further stated that in a Report of a Committee of Inquiry on the state of the Schools, dated 8th July, 1837, it is recommended that the Superintendent of the Establishment should have a Salary of £400 per annum, with apartments in the building, evidencing clearly that the Committee were acting under the belief that there was no house, independent of the main buildings and belonging to the establishment, where the Superintendent could be accommodated.

We consider there is sufficient evidence in the documentary testimony above referred to, to prove, incontestably, that a glebe of 10 acres was set apart and enclosed for the Church of England Chaplain at New Town, by the authority of the then Lieutenant-Governor of the Colony, in 1835; and that a Parsonage House for the residence of the Chaplain was also authorised to be erected upon it, by the same authority; and that this Glebe and Parsonage House can be no other than that continuously occupied, first by the Rev. Mr. Naylor, and secondly, up to this time, by the present Incumbent, the Rev. T. J. Ewing; and we have little doubt, also, that further evidence in corroboration of the documents referred to must exist, and is to be found on sufficient search being made in the Public Records of the Colony, of which your Department is the especial Depository.

It appears from your letter to Mr. Ewing, dated December, 1859, that in January, 1844, Mr. Bicheno, then Colonial Secretary, assumed that the property in question belonged to the Orphan Schools, such assumption being probably derived from the fact of the Chaplaincy and Head-Mastership of the Schools having been, until about the time he wrote, combined; but it does not appear from the quotation you give what grounds could exist for the deprivation of the Church and the Parish of a Glebe and Parsonage House, specially set apart and built for the Church on the authority of the Lieutenant-Governor of the Colony in 1835, handed over to the occupancy of the Chaplain of the Parish, and, of a consequence, into the legal charge and custody of the Trustees of the Parish Church property for the time being; and we must state our belief that such an assumption would never have been on record had any question as to the title caused a proper enquiry at the time.

Under these circumstances, we feel it to be our duty to protest against the erroneous "assumption" of Mr. Bicheno in 1844, and to assert and maintain the right of the Church and the Parish to the property in question, conferred upon the Church by the constituted authorities of the Colony in the year 1835, and secured in perpetuity to the service and "uses" of the Church of England by the third clause of the Church Act enacted in 1837.

We must not omit also to advert to the step which has been resorted to by the Colonial Secretary in demanding the key of the Parsonage House of the present incumbent on behalf of the Orphan Schools, in order, apparently, to create a presumptive right to the Parsonage Glebe and dwelling as part of that Establishment; the key being handed to that Officer's representative by the Rev. T. J. Ewing under a written protest, dated the 9th instant, setting forth that the Glebe and Parsonage House were the property of the Church and Parish, a copy of which document has been forwarded to us by the Bishop.

We do not, however, recognise any alienation of the rights of the Church and Parish by this act of delivery of the key by the present incumbent, who could be in no legal position thus to convey away the Church and Parish property by a legal quibble. And we cannot bring ourselves to believe that a title so clear, so valid, and so palpable to the moral perceptions of every honorable mind will continue to be disputed when placed before the Attorney-General in its broad features of unmistakable justice.

We desire further to acquaint you, that we have considered it our duty to address a notice to the Rev. T. J. Ewing not to deliver up possession of the Glebe and Parsonage House to any one but to ourselves as the Trustees; a copy of which notice we beg to enclose for your information and guidance.

We have to request that you will lay this communication, together with its enclosure, before the Executive Government.

We have the honor to be,
Sir,

Your very obedient Servants,

WM. CARTER,
JOHN LEE LEWES,
HORACE ROWCROFT,

Trustees of Church property in the Parish of New Town.

The Hon. the Colonial Secretary.

WE desire to express our full concurrence with the above communication, pledging ourselves to support and assist the Trustees to the best of our power and ability.

JOHN CURWEN WALKER,
E. C. NOWELL,
G. W. FLETCHER,

Churchwardens of the Parish of New Town.

New Town, 23rd January, 1860.

REV. AND DEAR SIR,

As we learn by a communication, under date the 6th instant, from the Right Rev. the Lord Bishop of the Diocese, that the present Executive has laid claim on behalf of the Orphan School Establishment to the Glebe and Parsonage House now occupied by you, the property of the Church and Parish, it becomes our duty to give you notice, and to require you not to give up possession of the property to any one but to ourselves, or the Trustees for the time being.

We regret, however, also to learn, that, on the key of the Parsonage House being demanded of you recently by the Colonial Secretary on behalf of the Local Government, you handed it over to that Officer's representative, although you took the precaution of doing so under a written protest that the Parsonage House and Glebe belonged, as of right, to the Church and Parish.

We are unable to recognise any power on your part to convey away property belonging to the Church and Parish, unauthorised by the Trustees; and we lay it down as an indisputable fact, that neither our legal nor moral rights can be in any way affected by an act which would be at once repudiated by the Local Parliament, and immediately set aside by the verdict of a British Jury.

We forward a copy of this communication to the Colonial Secretary for that Officer's information and guidance.

We remain,

Reverend and dear Sir,
Yours faithfully,

WILLIAM CARTER,
JOHN LEE LEWES,
HORACE ROWCROFT, } *Trustees.*

The Reverend T. J. EWING, Parsonage, New Town.

Colonial Secretary's Office, 27th March, 1860.

GENTLEMEN,

I HAVE the honor to acknowledge your letter respecting the possession of the house and premises in the occupation of the Rev. Mr. Ewing.

Mr. Ewing has been enjoying the possession of the house under the Imperial Government whilst the latter had charge of the Institution. Their Government having now been transferred to the Colony, the object in dealing with Mr. Ewing was that his position should remain the same, and with no view, as your letter might imply, of creating any change in the title or

right to the premises from what existed before. Mr. Ewing accepted the occupation under the terms dictated by the Governor, Sir Eardley Wilmot, in 1844. He has made application since that period for repairs to be effected by the Board of Ordnance; and it was the duty of this Government to see that Mr. Ewing did not, whilst representing the Government which employed him, divert or lessen their title.

As no occasion has arisen for questioning the right to the fee-simple of the premises, no investigation has hitherto been made into the circumstances narrated by you, and I am not in a position to make any comment thereon.

I have, &c.,

WILLIAM HENTY.

*The Trustees of St. John's Church,
New Town.*

New Town, 11th April, 1860.

SIR,

WE are in receipt of your reply of the 27th ultimo, to our communication of the 23rd January last, respecting the Parsonage House and Glebe now in the occupation of the Rev. T. J. Ewing, the property of the Church and Parish of New Town.

With respect to Mr. Ewing's occupancy of the property, "under the terms dictated by Lieutenant-Governor Sir Eardley Wilmot in 1844," referred to by you, we consider it perfectly immaterial to the question at issue under what terms or what auspices the present Incumbent came into possession, whether by the act of the Imperial or Local Government, as such possession, however derived, can neither in law nor equity set aside the validity of the title of the Church and the Parish to the fee-simple of the property, based upon the facts disclosed by the documents transmitted to us by the Lord Bishop, and duly set forth and detailed in our communication.

Among those documents we find a memorandum from Mr. Comptroller-General Nairn, under date the 30th August, 1859, addressed to Mr. Ewing, intimating to that gentleman that the Parsonage House and Glebe would, on the transfer of the Orphan Schools to the Colonial Government, be required for the Superintendent of the Schools; this intimation being forwarded in compliance with your instructions to Mr. Nairn, that it would be necessary for Mr. Ewing "to vacate the premises" forthwith. We presume, then, you must very much mistake when you now assert that "the object in dealing with Mr. Ewing was that his position should remain the same."

It was, in point of fact, your attempt and endeavour to move the present Incumbent out of possession, for the accommodation of the new Superintendent of the Queen's Orphan Schools, which led to the inquiry as to the fee-simple of the property, and which disclosed the proofs enumerated in our communication, which you neither dispute nor deny, but simply set aside by the assumption of an incorrect "position." But our communication which you have thus set aside did not confine itself to the mere occupancy of Mr. Ewing, as the general tenor of your letter would imply, but to the right of the Church and the Parish to the property, which right we as Trustees are bound to protect.

With regard to some repairs having been effected to the property by the Engineer Department (not the Board of Ordnance), a sufficient explanation could be afforded were it at present necessary; but repairs to property, let them be executed by whom they may, can in no way set aside the legal and equitable right to the fee-simple of the property.

We cannot concur in your statement that "no occasion has arisen for questioning the right to the fee-simple of the premises." On the contrary, we conceive that quite sufficient occasion has occurred, from the facts disclosed by the correspondence and documents transmitted to us by the Lord Bishop, calling upon us to protect the Church and Parish property, as set forth in our communication of the 23rd of January last.

We feel it our duty, therefore, to call upon the Executive Government to investigate the right to the fee-simple of the property in question; and after investigation to inform us whether in justice it will admit the validity of the title of the Church and the Parish, as conferred by the constituted authorities of the Colony in 1835.

It is to be borne in mind that, the question having now fairly arisen, we cannot, as the Trustees, allow the matter to remain in abeyance, for the premises may presently be vacated

by the present Incumbent by decease or otherwise, and the Parish would, under such circumstances, be unable, pending a lawsuit, to offer the Parsonage House and Glebe to the new Incumbent.

We request that you will lay this communication before the Executive Government, and favor us with your reply at the earliest moment practicable.

We have the honor to be,
Sir,

Your obedient Servants,

W. CARTER,
JOHN LEE LEWES, SEN.
HORACE ROWCROFT,

Trustees of the Church and Parish Property at New Town.

The Hon. the Colonial Secretary.

Colonial Secretary's Office, 14th April, 1860.

GENTLEMEN,

I HAVE the honor to acknowledge the receipt of your letter of the 11th instant, requesting that the Government would investigate the right to the fee-simple of the property in the occupation of the Rev. Mr. Ewing, and afterwards inform you whether the Government would admit the title of the Church and the Parish to that property.

In reply, I beg to say that the Government entertains no doubt as to its title to this property. The Government has held it, and exercised acts of ownership over it, from the earliest period. The arrangements also which were made in the year 1844 by Governor Sir E. Wilmot, and which have been confirmed since that period by unanimous concurrence, leave no room for doubt upon the question.

I am, therefore, under the necessity of acquainting you that the Government does not feel called upon in any way to interfere.

I may advert cursorily to a remark in your recent letter, in which you say that the Government must very much mistake when they assert that "the object in dealing with Mr. Ewing was that his position should remain the same." In saying this you have wholly overlooked the change in Mr. Ewing's position when the instructions were given to Mr. Nairn for Mr. Ewing's quitting; it was intended that the proceedings of the prospective Board of Management should be unfettered, and that whoever was appointed by them to the office of Religious Instructor should have the use of this house. That Board decided to re-appoint Mr. Ewing to the office, and consequently the letter of the Government on which you comment was quite correct in stating it was intended Mr. Ewing's position should remain the same.

I have, &c.,

WILLIAM HENTY.

The Trustees of the Parish of New Town.