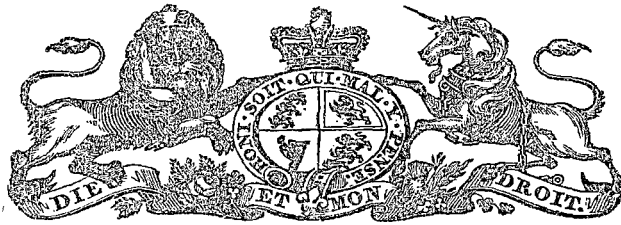


(No. 68.)



1863.

[SECOND SESSION.]

T A S M A N I A.

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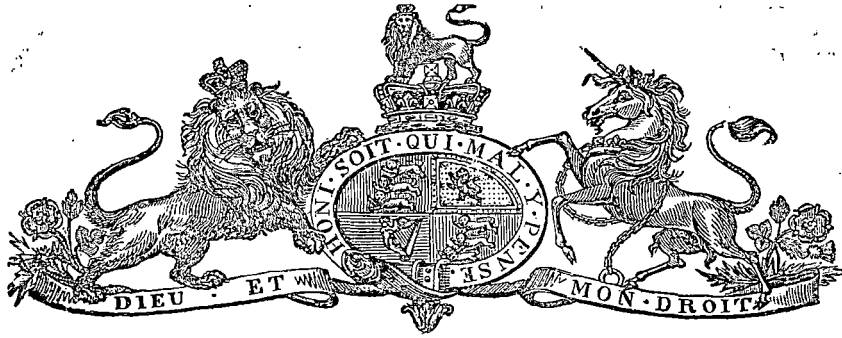
C O R R E S P O N D E N C E

Between the Government and the Authorities at the Queen's Asylum for  
Destitute Children on the subject of Quarters for the Superintendent.

*Return to an Order of the House. (Mr. Allison, 7 August.)*

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Laid upon the Table by Mr. Colonial Treasurer, and ordered by the House to  
be printed, 18 August, 1863.



*Queen's Asylum, 12th February, 1863.*

SIR,

I BEG to bring under your notice that when I received the appointment of Superintendent of the Queen's Asylum my predecessor was allowed to retain possession of the quarters rented by Government at £120 per annum, until the end of the year, on the condition that he was to pay the rent of the house occupied by me.

I beg to enclose a copy of the Resolution passed at a Meeting of the Board of Management in reference to the erection of a House for the Superintendent; but as the work is not likely to be carried out for some time to come, and as the House lately occupied by Dr. Benson is now to be let at a reduced rent of £80 per annum, I beg to suggest that it may be taken by the Government for my accommodation, as I am now compelled to reside at a considerable distance from the Institution, thereby rendering it impossible for me to be so constantly on the spot as I should be if residing near the building.

I have the honor to be,  
Sir,

Your most obedient Servant,

A. H. BOYD, *Superintendent.*

*The Honorable the Colonial Secretary.*

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*EXTRACTED Minute from Proceedings of the Board at its Meeting, 26th August, 1862.*

SUPERINTENDENT'S QUARTERS.

Moved by Mr. Nairn—That it is essential for the efficient discharge of the duties of the Superintendent that that Officer should be provided with a residence on the spot; and that a communication to that effect be addressed to the Government requesting that a plan and estimate may be prepared for the erection of a suitable residence in immediate proximity to the existing buildings. Carried.

(A true Copy.)

A. H. BOYD, *Superintendent.*  
*Queen's Asylum, 12th February, 1863.*

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*Colonial Secretary's Office, 17th February, 1863.*

SIR,

IN reply to your letter of the 12th instant, informing me that the house lately occupied by Mr. Benson is now to be let at £80 per annum, and suggesting that it should be taken for your accommodation, I beg to inform you that the Government do not feel justified in agreeing to any proposal which would involve an increased outlay for rent to that already sanctioned, namely £60; nor are they prepared to recommend any further outlay at present upon the erection of new buildings at the Institution, as recommended by the Board in the Minute of their Proceedings of the 26th August last, which accompanied your letter.

I have the honor to be,  
Sir,

Your very obedient Servant,

JAMES WHYTE.

A. H. BOYD, *Esquire, Superintendent,*  
*Queen's Asylum.*

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THE Superintendent Queen's Asylum begs to state, for the information of the Colonial Secretary, that on his appointment he received instructions from the late Colonial Secretary to rent a house as

near the Asylum as possible until Dr. Benson vacated the house rented by Government. No mention was made as to the amount of Rent that was to be paid; therefore had it been £80 per annum the house would have been taken, as there was none other suitable at the time.

The only reason the Superintendent has for desiring a change of residence is, that he considers it very desirable he should be nearer the Asylum than at present.

If the Government decide on taking Mr. Rout's house for Three years he is willing to reduce the rent still further; viz.—to £70 per annum.

A. H. BOYD, *Superintendent.*  
25th February, 1863.

*The Hon. the Colonial Secretary.*

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*Colonial Secretary's Office, 27th February, 1863.*

SIR,

FROM a communication which has been received from the Superintendent of the Queen's Asylum, it would appear that you are disposed to let your house at New Town, lately occupied by Mr. Benson, for £70 a year, provided it be taken for three years. The Government is disposed to take the house on that condition, but before arriving at a decision on the matter the Colonial Secretary would be glad if you would favour him with a visit.

I have, &c.,

(Signed) B. T. SOLLY.

W. ROUT, *Esquire, Bathurst-street.*

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*Queen's Orphan Asylum, 16th March, 1863.*

SIR,

I HAVE the honor to forward to you a copy of a Resolution passed at a Meeting of the Board of Management held on the 10th instant, in reference to the accommodation to be provided for the Superintendent; also an extract from the Report of a Sub-Committee, suggesting that accommodation should be provided for the Superintendent within the existing Buildings, to which reference is made in the Resolution.

I have the honor to be,

Sir,

Your obedient Servant,

W. NAIRN, *Chairman.*

*The Honourable the Colonial Secretary.*

*EXTRACT from Report of Sub-Committee on Vacant Accommodation, Queen's Asylum.*

The Sub-Committee appointed to consider the best means of disposing of the vacant Quarters in the old Infant Department have made an inspection of the Buildings, and have the honor to submit the following Progress Report for the consideration of the Board.

1st. Feeling assured of the many great and serious disadvantages which arise from the Superintendent not residing on the spot, and being anxious to carry out the system of economy so necessary to be observed in the management of the Institution, the Sub-Committee recommends that the following apartments be put into proper repair, rooms plastered, &c., and the few requisite alterations made as pointed out on Plan, for the accommodation of the Superintendent in the centre of the Establishment. The room marked B to be divided by a studded partition, plastered both sides, making two rooms each 25 feet 6 by 16 feet, with doorways broken through as shown on Plan. The old Dining Hall marked C, 30 feet 6 inches by 18 feet, to be also divided (see Plan) and the three rooms marked respectively D E and F, formerly occupied by the Matron of the Infant School, of the following dimensions—D 10 feet by 15 feet; E (with bay window) 17 feet by 15 feet; and F Kitchen, 23 feet 6 inches by 15 feet; making in all a Dining-room, Drawing-room, three Bed-rooms, Kitchen, and Store-room. The cost of the repairs and alterations required to put these rooms into good and tenantable condition would be very trifling, and a commodious and permanent residence, in a most central position, would be at once provided for the Head of the Institution.

A true Copy.

A. H. BOYD, *Superintendent.*

19th March, 1863.

HAVING inspected the Buildings referred to in the Report of the Sub-Committee, I have the honor to state, that the estimated cost of the proposed repairs, alterations, grates, papering, painting, &c., would not be less than £140; but I cannot recommend the expenditure of one shilling on the work, as the Quarters, when completed, would not be suited for, or satisfy the requirements of, the Superintendent, and they would be inferior to those of some of his subordinates.

W. R. FALCONER, *Director Public Works.*

*The Honourable the Colonial Secretary.*

*EXTRACTED Minute from Proceedings of Board of Management at its Meeting 10th March, 1863.*

SUPERINTENDENT'S RESIDENCE.

Letter from the Superintendent to Board, stating that the Government had rented the house lately occupied by Dr. Benson for three years, at £70 per annum :—

Moved—“That it having been represented to the Board, in a letter from the Superintendent herewith enclosed, that the Government, without any reference whatever to that body, has rented the house formerly occupied by Dr. Benson as Quarters for the Superintendent, the Members of the Board desire to put on record their protest, couched in respectful but at the same time in the strongest terms, against such undue and unnecessary interference with their functions, and also such unnecessary addition to the expenses of the Institution, as accommodation for the Superintendent in a portion of the unoccupied Buildings has been suggested. By the continued existence of such divided authority to which the *so called* Board has always been subjected, the labors of those who give considerable amount of time to what *ought to be* the management of the Institution are frustrated, and thereby rendered perfectly useless. Carried.

A true Copy.

A. H. BOYD, *Superintendent.*  
*Queen's Asylum, 11th March, 1863.*

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*Queen's Asylum, 10th March, 1863.*

SIR,

WITH reference to the Report of the Sub-Committee on vacant accommodation, in which they recommend that Quarters may be provided for the Superintendent in the building, I beg to state for the information of the Board of Management, that the Government have rented the House lately occupied by Dr. Benson for three years, at £70 per annum.

I have the honor to be,

Sir,

Your obedient Servant,

A. H. BOYD, *Superintendent.*

*The Chairman of the Board of Management,*  
*Queen's Asylum.*

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*Colonial Secretary's Office, 17th March, 1863.*

MY DEAR SIR,

I AM directed by the Colonial Secretary to request that you will inform him, by to-morrow, on what date you received the Progress Report of the Sub-Committee of the Board of Management appointed to consider the best means of disposing of the vacant Quarters in the old Infant Department, a copy of which was forwarded with the letter of the Chairman of the Board of the 16th instant.

I remain, &c.,

(Signed)

B. T. SOLLY.

A. H. BOYD, *Esquire,*  
*Superintendent, Queen's Asylum.*

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*Queen's Asylum, 18th March, 1863.*

SIR,

I HAVE the honor to state for your information, that the Progress Report of the Sub-Committee on vacant accommodation in the old Infant Department was first received by me from the Chairman at a Meeting of the Board of Management held at the Queen's Asylum on the 2nd instant.

I have honor to be,

Sir,

Your most obedient Servant,

A. H. BOYD.

*The Hon. the Colonial Secretary,*

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*Colonial Secretary's Office, 18th March, 1863.*

SIR,

I AM directed by the Colonial Secretary to enquire whether, on the 25th February ultimo, you were aware that a Sub-Committee had been appointed to consider the best way of disposing of the available accommodation in the late Infant School.

I have, &c.,

(Signed) B. T. SOLLY.

A. H. BOYD, *Esq., Superintendent Queen's Asylum.*

*Queen's Asylum, 19th March, 1863.*

SIR,

IN answer to your letter of yesterday's date, I have the honor to state for the information of the Colonial Secretary, that on the 14th January last I addressed a letter to the Chairman of the Board of Management requesting that a Sub-Committee should be appointed to visit the Institution at an early date, and report on the best means of appropriating the buildings lately vacated by the Infants. I addressed a second letter, on the same day, recommending to the Board that the quarters lately occupied by Mrs. Horan should be given to Mrs. Borne, and that one of her rooms should be set apart for an office for the Clerks of the Institution. These two letters were referred to the Sub-Committee of the Board, consisting of Mr. Hunter, Mr. Rout, and Dr. Butler.

The Sub-Committee visited the Institution, and I accompanied them round the vacant buildings; but I was not consulted on any subject but the appropriation of the Dormitory and Shed, which is recommended to be made the Laundry of the Institution.

I have further to add that, at the time I requested the appointment of the Sub-Committee to bring up a Report on the vacant quarters, I had no idea it would in any way affect myself.

I have the honor to be,

Sir,

Your obedient Servant,

A. H. BOYD.

B. T. SOLLY, *Esquire.*

*Queen's Asylum, 20th March, 1863.*

SIR,

WITH reference to the conversation I had with you yesterday respecting Mr. Rout's house, and in accordance with your request, I beg to state, that when I heard from Mr. Rout that he had reduced the rent from £120 per annum to £80, I waited on the Comptroller-General who referred me to you. I had an interview, and informed you of the reduction in the rent; and I pointed out, at the same time, the great disadvantage of my residing at such a distance from the Institution. You requested me to address you on the subject. I did so, and received a reply that the Government could not sanction a higher rent than £60 per annum for my quarters. I informed Mr. Rout accordingly, and he then reduced the rent to £70 per annum. This I communicated to you, but received no reply, except through Mr. Rout, who informed me that he had seen you, that you had acceded to his terms, and had requested him to hand to me the keys of the house.

I have the honour to be,

Sir,

Your most obedient Servant,

A. H. BOYD, *Superintendent.*

*The Honourable the Colonial Secretary.*

*Colonial Secretary's Office, 25th March, 1863.*

SIR,

I HAVE the honour to acknowledge the receipt of your letter dated the 16th instant, forwarding a copy of a Resolution passed by the Board of Management of the Queen's Asylum on the 10th instant, together with an Extract from a Report of a Sub-Committee of the Board suggesting that accommodation should be provided for the Superintendent within the existing Buildings.

I must confess my regret that a body of gentlemen in the position of the Board of Management should have thought the use of language that seems designedly offensive not inconsistent with

the respectful consideration for the acts and authority of the Executive Government which is the usual characteristic of public official communications.

But I am more concerned to find the Board committed by their Resolution to a position that cannot be sustained by the circumstances of the case, and bringing a categorical accusation against the Government for which there exists no foundation in fact.

The gravamen of the Board's charge against the Government seems to consist in the circumstance that a house has been rented for the Superintendent without their privity or concurrence.

It is necessary that I should remind the Board that they have not been at the pains to intimate to the Government their wishes on this head in time to affect the arrangement of which they complain.

The Report of the Sub-Committee, forwarded in your letter of the 16th instant, recommends the conversion of a portion of the existing Buildings into Quarters for the Superintendent; but the Government received, for the first time, an intimation that such accommodation was, in the opinion of the Board, obtainable within the existing Buildings simultaneously with the Resolution censuring the Government for disregarding that recommendation.

In August, 1862, the Board passed a Resolution, "that a communication be addressed to the Government, requesting that a plan and estimate might be prepared for the erection of a suitable residence for the Superintendent in immediate proximity to the existing Buildings."

In compliance with that Resolution, my predecessor authorised the Honorable the Treasurer "to submit an application to Parliament for the appropriation of a sum not exceeding £1000 for the erection of a house for the Superintendent of the Queen's Orphan Asylum, New Town The Board," the letter continues, "have represented the necessity of the Superintendent residing on the spot, and there is no accommodation available for that Officer."

This was the impression conveyed to the Government by the Board's Resolution of the 26th August, 1862; and no subsequent communication prior to the receipt of the Report of the Sub-Committee has led the Government to believe that accommodation was obtainable for the Superintendent at the Asylum by any other means than the erection of a new building for that particular purpose.

The house then occupied by Dr. Benson had been rented by the Government without reference to the Board, at £120 a year; and on Mr. Boyd's appointment by the Government, again without reference to the Board, that Officer was authorised, without the privity of the Board, to rent a house as near the Asylum as practicable, the rent of which Dr. Benson was required to pay up to the end of last year.

In the absence of any suggestion from the Board that accommodation could now be provided within the existing buildings, the Government, following former precedents, has now rented, without reference to the Board, the house lately occupied by Dr. Benson as a residence for Mr. Boyd, at a rental of £70 a year.

The Government had previously decided not to sanction the erection at present, of any additional buildings at the Queen's Asylum, but was anxious to meet the wishes of the Board by placing the Superintendent as near as possible to the scene of his duties.

The Government had also reason to believe that the Board was cognizant of the negotiation with Mr. Rout on the subject of taking his house for Mr. Boyd, as in a letter received from Mr. Boyd, dated the 20th instant, that Officer states, "When I heard from Mr. Rout that he had reduced the rent from £120 per annum to £80, I waited on the Comptroller-General, who referred me to you." When, therefore, you, the Chairman of the Board, referred the Superintendent to me on this particular question of house rent, the Government can scarcely be blamed for assuming the Board's cognizance and acquiescence in the projected arrangement.

From these facts the Board will see that there exist no grounds for the allegation of "undue and unnecessary interference with their functions."

And the complaint of "unnecessary addition to the expense of the Institution" must also be dismissed as equally groundless, in the face of a positive reduction from £120 to £70 per annum.

The "accommodation suggested for the Superintendent in a portion of the unoccupied buildings" has been inspected by the Director of Public Works, who reports "that the estimated cost of the proposed alterations, repairs, grates, papering, painting, &c., would not be less than £140;" but

that Officer declares himself unable to "recommend the expenditure of one shilling on the work, as the quarters, when completed, would not be suited for, or satisfy the requirements of, the Superintendent, and they would be inferior to those of some of his subordinates." This suggestion was, therefore, under any circumstances, impracticable.

I am unable to see in this transaction any justification for the insinuation contained in the concluding part of the Resolution, that the Government seeks to divide, and so impair the authority of the Board. Still less can I admit that the selection of a residence for the Superintendent can be legitimately regarded as an indication of any desire on the part of the Government to "frustrate and thereby render perfectly useless the labours" of the Board of Management.

The Board exercises an authority delegated to them by the Executive Government; but the honorary discharge of that authority gives no title to arraign the disposition by the Government of matters beyond the sphere of their proper functions, but strictly within the scope of the power expressly reserved to itself by the Executive.

The selection of a residence for the Superintendent properly appertains to the Government, which is responsible to Parliament for the expenditure of the sum voted for the maintenance of the Queen's Asylum.

The Government accepts, with grateful appreciation, the honorary services of gentlemen willing to devote their time and abilities to the duties of Public Boards; but it cannot consent to abdicate its legitimate functions and proper responsibilities in deference to the suggestions of any Body of Gentlemen, however estimable and respectable.

Conscious of the integrity of its motives, the Government on the present occasion, is contented to demonstrate the groundlessness of the allegations, rather than complain of the offensiveness of the language you have forwarded to me.

I am not without hope that, on a calmer review of the whole circumstances of the case, the Board will regret their resort to a mode of expression which seems to sacrifice dignity to temper.

I have to request you, in conclusion, to acquaint the Board that, as the Government has rented Mr. Rout's house, at £70 per annum, for a term of three years, the question of Superintendent's quarters must now be considered definitely decided for the present.

I have, &c.,

(Signed) JAMES WHYTE.

*The Hon. W. E. NAIRN, Esq., Chairman  
Board of Management, Queen's Asylum.*

*Hobart Town, 28th March, 1863.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 25th March, 1863, in reply to a Resolution agreed to by the Board of Management of the Queen's Orphan Asylum, and transmitted to you by me under their direction on the 16th instant.

2. Your letter will be duly laid before the Board at its next meeting; but I feel it due to myself to state that I dissented altogether from the Resolution at the time of its being passed, and that I publicly expressed that dissent, and intimated my intention of notifying it to you. The Board, however, considered that as Chairman I was bound to transmit any Resolution they might adopt without comment on my part, and yielding to their opinion I transmitted the Resolution without any remark.

3. With regard to that portion of your letter in which you state that when I, as Chairman of the Board referred the Superintendent to you upon the question of Mr. Rout's offer, the Government can scarcely be blamed for assuming the Board's cognizance and acquiescence in the projected arrangement, I desire to observe, that I was not Chairman of the Board when Mr. Boyd mentioned to me that Mr. Rout was willing to let his house for £80 a year. That occurred on some day before the 12th February, and I was not appointed Chairman of the Board until the 3rd of March. The advice which I gave Mr. Boyd was therefore given by me as an individual member of the Board, and was in accordance with the view which I entertained of the question of the Superintendent's accommodation. With the intentions of the former or the present Government on the subject I was wholly unacquainted. I regarded the question as one remitted for the consideration of the Government by the Resolution of the Board transmitted to the Colonial Secretary in August last, requesting that a plan and estimate might be prepared for the erection of a residence for the Superintendent;

and it did, and does, appear to me that when the Government decided not to erect any new building, but to rent a house for the Superintendent, the Board had reason to expect that that decision would be notified to them, so as not to have left their communication of August wholly unreplyed to by the Government.

I have the honor to be,  
Sir,

Your obedient Servant,

W. NAIRN.

*The Hon. the Colonial Secretary.*

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*Colonial Secretary's Office, 17th April, 1863.*

SIR,

I BEG to acknowledge the receipt of your letter of the 28th ultimo, in answer to mine of the 25th of that month, and to assure you that your explanation of the circumstances connected with the quarters for the Superintendent of the Queen's Asylum, and Mr. Boyd's communication with you on the subject, is perfectly satisfactory as regards the views you held and the steps you took in the matter.

There is, however, one passage in your letter which I feel I am bound to remark upon, as it seems to imply a want of courtesy on the part of the Government towards the Board, for which the present Ministry cannot undertake to be in any way responsible.

In the concluding portion of your letter you say, "I regarded the question as one remitted for the consideration of the Government by the Resolution of the Board transmitted to the Colonial Secretary in August last, requesting that a plan and estimate might be prepared for the erection of a residence for the Superintendent; and it did, and does, appear to me that when the Government decided not to erect any new building, but to rent a house for the Superintendent, the Board had reason to expect that that decision would be notified to them, so as not to have left their communication of August wholly unreplyed to by the Government."

It appears that the then Colonial Secretary, Mr. Henty, requested the Colonial Treasurer to make provision on the Estimates to the extent of £1000, for the purpose of providing accommodation for the Superintendent, but as far as I am aware no such vote was ever submitted to Parliament.

There is no record existing of any official communication having been sent to the Board of Management upon the subject, but, Mr. Henty having been Chairman of that body, the present Ministry were justified in arriving at the conclusion that the Board were cognizant of the views of the late Government respecting the proposed outlay.

Under any circumstances, however, the present Government cannot admit that they are chargeable with want of courtesy or consideration for the Board on the grounds that they did not communicate what appears to have been the ultimate decision of a former Government, nor do I deem it part of my duty to defend, or comment upon, the course my predecessor may have thought fit to pursue in his relations with the Board of Management of the Queen's Asylum.

I have, &c.,

JAMES WHYTE.

*The Hon. W. E. NAIRN, Esquire.*

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*Hobart Town, 18th April, 1863.*

SIR,

I HAVE the honour to forward a Minute of the Board of Management of the Queen's Orphan Asylum, in reply to your letter of the 25th ultimo.

I have the honour to be,  
Sir,

Your obedient Servant,

W. NAIRN, *Chairman.*

*The Hon. the Colonial Secretary.*

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*Board Room, Hobart Town, 17th April, 1863.*

THE Board of Management of the Queen's Orphan Asylum, in replying to the Colonial Secretary's letter of the 25th of March addressed to the Chairman of the Board, beg to state that, as the Government has therein conveyed its final decision on the subject of the Superintendent's Quarters, they



have no intention by their present communication to re-open the question; but the serious imputations conveyed by the Colonial Secretary's letter upon their conduct would, if allowed to pass unanswered by them, tend materially to impair the usefulness of any services they may be in a position to render the Institution with which they are connected.

The Board of Management, immediately on the appointment of the present Superintendent in August, 1862, decided on the necessity of that Officer's residing within the precincts of the Establishment; and, in company with the Colonial Secretary, then Chairman of the Board, selected a site between the old and new Buildings for the erection of a suitable residence, and at the same time requested the Government to order the preparation of the necessary plans and estimate.

On the occupation of the new Infant School buildings, a Sub-Committee was appointed to decide on the best means of disposing of the vacant quarters in the old building; when it was found that accommodation, consisting of two large sitting rooms, three bed rooms, a large private kitchen, and store, could be provided for the residence of the Superintendent at a small outlay for repairs and fitting up.

The Report containing the particulars of the accommodation proposed was referred, at the Board Meeting of the 2nd March last, to the Superintendent for his remarks; and from the reply of that Officer at the adjourned Meeting of the 10th March, they were then first informed that the Government had rented a house for him, and not until the receipt of the Colonial Secretary's letter of 25th March did the Board obtain information that the Government had previously decided not to sanction the erection, at present, of any additional buildings at the Queen's Asylum.

Under these circumstances the Board could not but feel that, by the course the Government had seen fit to adopt, their plans for the management of the Queen's Asylum had been in an important particular reversed, and the Institution deprived of the great advantage which, in their opinion, must have accrued to it, from the actual residence of the Superintendent in the establishment for the control and management of which he is responsible to the Board.

The Board were also of opinion that they were fully justified in expecting that some communication would have been addressed to them when the Government had decided not to comply with the Board's request for the erection of additional buildings at the Queen's Asylum; and also in expecting that the Government would not have carried into effect its decision to rent a house for the Superintendent without some reference to the Board, seeing that the decision was not in accordance with the Board's previously expressed wish communicated to the Government in August 1862; the result being that the work of the Committee was rendered entirely useless, and that an ultimate decision was arrived at by the Government while the same question was under consideration by the Board. The Government and the Board were respectively unaware of the proceeding and intentions of each other, and no opportunity was afforded to them of bringing under the notice of the Government the arrangements then under their consideration.

The Board, while conscious that the authority exercised by them is derived from the Executive Government, are unable to concur with the Colonial Secretary's opinion that in the consideration of the locality of the Superintendent's residence they went beyond the "sphere of their proper functions."

In that view they are strengthened by the fact, that the question was previously under the consideration of the Board, with the cognizance and sanction of the Colonial Secretary's predecessor, Mr. Henty, in August, 1862, and was the subject of a communication with the Government; also by the consideration that it has an important bearing on the general management of the Institution, and would materially influence the relative nature of the duties imposed on the Officers of the Establishment.

The Board are still further sustained in this opinion by the printed Regulations defining the powers and responsibilities of the Board, approved by the Governor in Council, 19th September, 1861, which says, "The Managers shall have the superintendence, direction, and the regulation of all matters arising under their management in their relation to the Asylum; and the expenditure of the sums voted for the current expenses of the Institution, in accordance with established rules, and agreeably to the ordinary course of management by other departments of the Government."

Under these circumstances, feeling strongly the injurious consequences of such differences between the Government and the Board of Management, and the impossibility of properly discharging the functions imposed upon them as Members of that Board, without the advantage of being informed of the intentions of the Government with reference to the Institution, the Board felt that they were bound to bring the question at issue under the notice of the Government in the usual and legitimate course.

In a careful reconsideration of the Resolution forwarded to the Government, the Board are unable to discover any language the use of which would warrant the construction of being "designedly offensive," as placed upon it in the second paragraph of the Colonial Secretary's letter, and reiterated at its close. The Resolution is prefaced by an express desire on the part of the Board to put on record a protest, "couched in respectful but, at the same time, in the strongest terms."

With regard to that portion of the Colonial Secretary's letter which states that the Board have brought "a categorical accusation against the Government for which there is no foundation in fact," the Board must absolutely deny that there is any accusation contained in the Resolution which "has no foundation in fact."

The Board, although unwilling to continue a correspondence having any relation to a question which has received its final decision from the Government, could not consent to lie under such imputations on their character as are contained in the Colonial Secretary's letter of the 25th ultimo.

W. NAIRN, *Chairman.*

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*Colonial Secretary's Office, 16th May, 1863.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 18th ultimo, forwarding a Minute of the Board of Management of the Queen's Asylum, in reply to my letter of the 25th March.

While duly appreciating the services of the Board, and prepared at all times to aid and support them in the discharge of their proper functions, the Government on the present occasion cannot discover in the Minute of the Board any grounds for altering the opinions expressed in my former letter.

I have, &c.

(Signed) JAMES WHYTE.

*The Hon. W. E. NAIRN, Esquire, Chairman.*