

**INTERESTING EDUCATION INQUIRY AT BROUGHTON.**

**The Proposed New Council Schools.**

A public inquiry of a most interesting character locally was held at the Girls' and Infants' School, Broughton—*or*, to be accurate, Broughton-cum-Bosington—on Wednesday. It seems that the education of the youth of the district has caused a good deal of contention and unpleasantness for some years past, by reason of the schools having been under the management of a body of trustees appointed under a scheme based upon a charity going back as far as the year 1601. This charity having been legally declared to be an ecclesiastical one, and it having been settled that the trustees must be Church of England, the teachers Church of England, and that the teaching of the Established Church was the teaching intended by the founder, a good deal of friction arose between religious parties in the district, and all efforts to arrive at a satisfactory solution having failed, the County Council determined to take the matter into their own hands, and to provide a new Council School for the parish. Against this proposal there was sufficient objection to warrant the Board of Education in ordering an inquiry to be held, and the objects of the same were advertised to inquire into—

(1) A proposal made by the County Council of Southampton to provide a new public elementary school for about 180 children, at Broughton, such school to be available for the area of the parishes of Bosington and Broughton.

Notice of the proposal was published on the 4th July, 1907, and appeals have been made to the Board against the proposal by more than ten ratepayers in the said area.

(2) The administration of Thomas Dowse's Charity.

The gentleman appointed to hold the inquiry was Mr. H. J. Simmonds, and there was also present his Majesty's Inspector for the District (Mr. Holmes), upon whose report it was that it became necessary for some steps to be taken to improve the school accommodation. Mr. D. T. Cowan, M.A., the Director of Education for the County, appeared in the interests of the Education Authority, being accompanied by Mr. F. G. Apthorpe (assistant secretary for Elementary Education at the Education Office). Mr. G. Edwardes Jones, barrister, appeared to oppose the erection of the new schools, on behalf of the present trustees, and on behalf of the opponents to the scheme generally. Mr. Arthur A. Thomas, barrister, appeared on behalf of the Parish Council, who are supporters of the scheme for erecting a Council school and placing the education of the parish under representative management.

The remarkable interest which has been aroused locally in the question was shown by the large attendance of parishioners, more especially at the evening sitting, and also by the fact that there were so many arguments to be heard and so much evidence to be taken, that the inquiry lasted from two p.m. till after eight p.m., with the exception of an interval for tea. Several ladies attended, some of whom sat out the whole inquiry, and others present included the Rector (the Rev. A. Woodin), the Rev. T. Holt, Capt. Dalgety, Dr. Cuse, Dr. Lyne-Stivins, Mr. W. Steele Tomkins, Mr. C. E. Hunt, Mr. Graham

schools in the parish, and to build a third, it seemed to him, would be disastrous for secular education purposes. With reference to religious instruction, he found that very few children were withdrawn under the conscience clause—13 in one school and 18 in the other was the highest number recorded—which indicated that there was no serious feeling against the religious instruction given (Oh!). The trustees did not wish to take up any position of antagonism in the matter, and if by any means an amicable solution of the difficulty could be arrived at they would be only too glad to help in any way they could.

Mr. Cowan then outlined the position of the County Council in the matter, pointing out that however much they might be disposed to agree with the suggestion to improve the existing school accommodation, there were numerous clauses in the scheme under which the trustees acted which were not consistent with the powers of the Education Authority under the Act of 1902, and the Education Committee was of opinion that there ought to be a new scheme. The Committee considered the Boys' School (Dowse's) too small, and that it was necessary to add to the accommodation, and that having regard to existing circumstances, and to educational efficiency and financial economy, the proper course was to collect the children into one school at Broughton, in order that they might be dealt with under an efficient headmaster and an adequate staff. Educationally, a much more effective school would then be produced (applause). Mr. Cowan went on to urge that the scheme of 1865 did not fall into line with present-day requirements, and a constant state of friction such as had been introduced must have a detrimental effect on education, and this had undoubtedly happened. The matter had been under consideration since September, 1906. The trustees refused to apply for a new scheme; there was no abatement of the unfortunate state of friction which had prevailed; and nothing was done to improve the school accommodation. The result was that the Education Authority decided to issue notices of their intention to erect a Council School for the boys, girls, and infants, to accommodate 180 children. Considering the population of Broughton and of Bosington, this would be as small a school as could be depended upon. Mr. Cowan also spoke of the difficulty which had existed in giving proper instruction to the lower classes, simply because the average attendance was not sufficient to warrant more than the appointment of a headmaster and a monitor, whereas, with the school proposed, there would be an adequate and sufficient staff, working under one headmaster, which must result in greater efficiency all round. Concluding, he said that every latitude had been allowed for the amicable settlement of the difficulty locally, but the Education Authority was legally responsible for the effective education of the country, and eventually issued notices of their intention to provide a Council School in the hope that it would be a means of bringing to an end what seemed to be an interminable wordy war (applause).

Mr. Thomas, on behalf of the Parish Council, said his instructions were to support the County Council in their desire to provide a Council School, and they were strongly in favour of one school as against several schools.

William James Ayles, a road surveyor, spoke to making an offer of £6 a year for 1½ acres of pasture land, but the trustees let it to Mr. Leigh for a less amount, and he had broken it up into a market garden, bringing its value down to about £2 a year. Cross-examined, the witness said the value depreciated from the fact that good pasture was exceedingly scarce in the village.

Mr. F. Hurford, farmer, stated that he made a verbal offer to one of the trustees to rent a 30-acre piece at £30 a year, but it was let to another man for £25.

Mr. Steele Tomkins, of Broughton House, was called on behalf of the trustees. He stated that he had been a trustee of the Charity for about 20 years. He went into details as to the lettings, and said the trustees had always endeavoured to do what was best for the estate in this matter, as in every other way. As to the Girls' and Infants' School there could be no question that it was intended by Mr. Baring to be a Church of England School. Witness quoted figures showing that in the two schools there was sufficient room for 162 children, while the average attendance was 120. He did not say that the Boys' School would not be improved by the addition of classrooms, which would give better convenience for teaching, and this the trustees were prepared to carry out. The income of the Charity was £30 gross and £70 net. The necessary improvements could be made at much less cost than the expenses of a new school, and he objected to a burden of £1,500 being imposed on the parish without necessity. In answer to Mr. Cowan, witness added that the average attendance at the Boys' School was 36.7, and there was sufficient floor space for 46.

Mr. Tom Cannon, the famous trainer, objected as a very large ratepayer to the burden of the new school being placed upon the parish, and expressed the view that there was already ample school accommodation.

Mr. Leabourne did not think the new school necessary, and thought the matter ought to be left to the trustees (some laughter). He was a candidate at the last Parish Council election, and little was said about the school question at the time ("Oh," and laughter). He had children attending the school, and was satisfied with their education. He objected to the proposed expenditure, as a ratepayer, especially as the trustees were prepared to do all that was necessary. Cross-examined by Mr. Thomas, witness admitted that his opponents at the election issued an address dealing with the question, but it was only a day before the poll. He also admitted that they were returned ahead of him at the poll.

Dr. Lyne-Stivins also objected to the proposed new school, and asked where the 180 children were to come from to fill it? Children did not grow like cabbages (laughter). He added that with improvements such as those suggested the existing Boys' School could be made as good as any in the country, and it had never been suggested that there was anything wrong with the Girls' and Infants' School.

Mr. Harry Robinson, a parent, declared himself as satisfied, and said if the views of the trustees were carried out it would be adequate.

Further evidence was then called in support of the new school being established. Mr.

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eight p.m., with the exception of an interval for tea. Several ladies attended, some of whom sat out the whole inquiry, and others present included the Rector (the Rev. A. Woodin), the Rev. T. Holt, Capt. Dalgety, Dr. Cusse, Dr. Lyne-Stivina, Mr. W. Steele Tomkins, Mr. C. E. Hunt, Mr. Graham Brown, and the following members of the Parish Council:—Mr. T. Hinwood (Chairman), the Rev. H. A. Tree (Baptist minister), Messrs. F. Hurford, S. Leigh, J. Marsh, J. Leabourn, T. Blake, F. D. King, C. Gunstone, and the Clerk (Mr. W. C. Uphall). During the inquiry there were frequent outbursts of applause when any statement was made, or evidence given, which appealed to the opinions of the different sections present, but Mr. Simmonds at once rebuked any attempt at dissent from the evidence given.

Mr. Simmonds, in opening the inquiry, reviewed all the facts bearing upon education in the parish in chronological order, beginning with a deed of 1601, by which the Thomas Dowse Charity was founded, that gentleman bequeathing certain lands in the parish, the rentals from which were to be devoted to the maintenance of a school and schoolmaster in the village, "to teach and instruct the children of Broughton-cum-Bossington, to read, write, and cast accounts." In 1826 the Charity Commissioners held an inquiry into the charity, and at that time the Dowse school was used for boys only, and the income from the land was about £68. About the year 1860 the present girls' and infants' school was built by a Mr. Baring, and there was also started a Baptist school. In 1905 an inquiry was held with the view of amalgamating Dowse's school and the National School, but the proposal failed. The trustees of the former were anxious to carry on their own school separately, the fact of the matter being, without going into controversial details, that the endowed school was not being carried on under very strong Church of England lines, and the trustees objected to amalgamation with the National School for that reason. The result was that application was made to the Court of Chancery for a new scheme, and the matter was tried before Lord Romilly, then Master of the Rolls. His judgment was that he was satisfied the Dowse Charity was a Church of England Charity, and that the endowment was intended to promote instruction in the beliefs of that religion, but he expressed the opinion that any new scheme ought to contain a conscientious clause. It was also declared that the trustees and teachers ought to be members of the Church of England. On Lord Romilly's judgment a scheme was established, under which the school had ever since been worked, the scheme providing for the various points held to be legal in the judgment. That brought matters down to the year 1903, when a largely signed petition was sent by the inhabitants of Broughton, asking for an inquiry to be held for the purpose of re-arranging the scheme for the management of Dowse's school, alleging that the existing scheme was contrary to the will of the founder, and claiming that the school should be placed on the unsectarian basis which prevailed prior to the scheme of 1865. As a result, Mr. Warner, of the Board of Education, had a conference with the trustees to see if the differences could be put an end to, but no compromise could be arranged. All attempts to compromise having failed, the Board of Education communicated with the Parish Council in May, 1904, that they had invited the trustees to submit to them proposals for a new scheme, but this had not been done, and the jurisdiction of the

be a means of bringing to an end what seemed to be an interminable wordy war (applause).

Mr. Thomas, on behalf of the Parish Council, said his instructions were to support the County Council in their desire to provide a Council School, and they were strongly in favour of one school as against several schools. The view they had held all along—based on tradition, and on the evidence of the oldest inhabitant—was that Dowse's Charity was given for the benefit of the people of Broughton-cum-Bossington, without any limitation or restriction whatever (hear, hear). In 1855 there were in Broughton Dowse's School, a Baptist day school, and a National or Church school, which was held in a building situated in the churchyard. Mr. Baring built and endowed the school in which they were at present assembled as a National school. The Baptist school was closed in 1878. All along Dowse's Boys' School had been looked upon as a common one. It was a curious thing that in the scheme of 1865 it was provided that the master of the School must belong to the Church of England, when it was undoubtedly the case that one master (the late Mr. Godwin) was a professed Baptist, as was his daughter, who also taught.

Mr. Simmonds remarked that Mr. Godwin was a member of the Church of England at the time of his appointment.

A Voice: Some people get converted later on in life, and change their religion (laughter).

Mr. Thomas remarked that in any case it was clear Church of England teaching was not given at that time in the School, and Mr. Godwin and all his family were buried in the Baptist churchyard. Those whom he represented would continue to press their belief that the Charity was not being applied in accordance with the wishes of the founder, until some scheme was formulated which was more in accordance with the requirements of the present day. The difficulties in regard to religious instruction in the School had been existing for a long time. The instruction was sometimes given by the curate of the parish, and Church doctrine being objectionable to Nonconformists, they began to withdraw their children largely from this teaching. These children, who, in other schools, would be placed in a separate class for separate instruction when the religious teaching was going on, were turned into the street in all weathers. The Parish Council was bound to take notice of such a state of things. Mr. Thomas proceeded to mention the various steps which the Parish Council had taken with the view of getting Dowse's Charity restored to its former unsectarian state. The point he had mentioned was felt as a great hardship, there being no place for the Nonconformist children to shelter from the weather, or where they could receive the secular instruction they ought to receive, because there was no class-room at the school.

Mr. Jones interposed that if the trustees' offer to improve the accommodation was acted upon, they would at once take steps to provide a class-room.

Mr. Thomas said that in 1906 there were 34 Nonconformist families using the School, and only 15 or 16 Church families. The Parish Council and the Nonconformist parents would welcome a Council School for the parish, and they were quite prepared to pay their share of the cost, which they did not anticipate would be severe, when the income of the endowment had been utilized, as it could be under the provision of the Education Act, for the reduction of the rate (applause). Mr. Thomas concluded by mentioning that there was evidence, if not

School.

Mr. Harry Robinson, a parent, declared himself as satisfied, and said if the views of the trustees were carried out it would be adequate.

Further evidence was then called in support of the new school being established. Mr. F. Hurford was re-called, and said he had two children attending the Boys' School, but was very dissatisfied, and although one of the largest ratepayers he would not mind the cost to the parish and to himself if things could be altered. A Council School would be a boon to the parish.

Mr. Ayles was also re-called, and stated that he took his girl away from the Girls' School and had to pay £50 a year for her in a secondary school at Southampton because of the unsatisfactory nature of the education she was receiving locally. He also spoke of the impossibility of making a satisfactory job of improving either of the existing schools, and said that if it was to be done to meet the requirements of the Board of Education it would cost the trustees as much money as the building of the new school, while the income of the Charity would not be available for the reduction of taxation.

Mr. Blake, an owner of property, said he had four children attending school, and more to follow. He was not satisfied with present conditions, and should much prefer a school under public management and control.

The Rev. H. A. Tree said he should strongly object to the education of the parish being continued under the management of the present trustees, because it would mean a perpetuation of the strife and bitterness and petty persecution which had hitherto prevailed. He was a minister of peace, and had done all he could to bring about a better state of things, and he should count it cheap, even if the rate were a heavy one, to have a school established which would end those differences once for all. He at one time hoped that a compromise might have been possible, but he was now very much afraid that there could be no solution of the difficulty apart from the establishment of a Council School, under public control. Speaking metaphorically, the witness declared that the irritant was in the wound, and that until it was removed altogether the wound would never heal.

No further evidence was taken, and the inquiry ended with an expression of thanks to Mr. Simmonds for his able conduct of the inquiry.

Mr. Simmonds, in replying, said he had hoped that a compromise might have been possible to make an arrangement which would be acceptable to all parties. He hoped everybody would do all they could to arrange things on an amicable basis.

The company then dispersed.

The Crown has decided on a new departure in connection with the recent cattle-driving cases in which the common juries disagreed. In the King's Bench, Dublin, on Wednesday an application made by the Crown that the cases should be re-tried before Dublin special juries was acceded to.

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taken by the trustees; they had no power to make a scheme except upon the application of the trustees. Mr. Simmonds went on to deal with other correspondence with the Parish Council, and with the eventual report to the County Council as to the inadequacy of the accommodation of Dowse's school. The conclusion came to by the Education Committee was that the trustees ought to apply to the Board of Education for a new scheme, and Mr. Cowan held an inquiry into the matter at Broughton in March, 1905, but nothing came of it, and ultimately, in July of this year, the County Council issued notices of a proposal to provide a new school under the Education Act of 1902. Petitions had been received urging that the proposed new school was quite unnecessary, and that the enlargement of the existing school by the addition of class-rooms and of lavatory accommodation—which the trustees were prepared to carry out forthwith—would be the best means of meeting the requirements of the inspector. As a result the present inquiry was being held. The gross income of the charity was somewhere about £90 annually, and the net income about £80, and it was derived from the rents of certain lands and from certain vested funds. Concluding, Mr. Simmonds said that if the unfortunate dissensions which had arisen in connection with this question could be put an end to, and a satisfactory compromise effected, he should be glad to give any assistance he could in order that such a settlement might be arrived at.

Mr. Jones, addressing the inquiry on behalf of the appellants, dealt with the question of school accommodation, and also with the allegations which had been made with regard to the administration of Dowse's Charity. He said there did not seem to be anything at all to support the charges of mal-administration, and quoted at length from the judgment of Lord Romilly, and from the scheme founded upon it, to show that it was legally binding upon the trustees to construct and manage the school as a Church of England school. He pointed out that there had never been any difficulty in carrying out this perfectly legal scheme, and submitted that that being the case the duty of the trustees was to adhere to it, and not to apply to the Board of Education for a new scheme. Allegations had been made against the scheme with the view, if possible, of terminating the differences which had arisen in the parish, but these allegations seemed to have been based upon very little knowledge in law. At a parish meeting in 1903 the fact that under the scheme the Rector was to be always a trustee was criticised, and comment was made because he differed from the other trustees, who, in the event of bankruptcy, were to be dissociated from the scheme. This showed how little knowledge there was behind the statement, because if a rector became bankrupt sequestration followed, and he ceased to be rector. It was also averred at that meeting that the Charity Commissioners had expressed the opinion that the charity was a parochial one, but he submitted this was not the case, and no one in authority had ever said otherwise than that it was an Ecclesiastical Charity.

Mr. Thomas remarked that he did not deny that, but his clients claimed that it ought not to be an Ecclesiastical Charity (hear, hear).

Mr. Jones went on to say that there was no difficulty in maintaining Dowse's School as a public elementary school, because the trustees had power under the scheme to dispose of lands, whereby the money could be raised to improve the accommodation, and they could do this without any sanction from the Board

of Education. He went on to mention that eight years ago a portion of the lands were let to a Mr. Brown (one of the trustees), without an offer of them being made to the farmer who succeeded the previous tenant, and that they had not been farmed in a husbandlike manner. A piece of pasture was to let four years ago, for which an offer of £6 a year was made, but the trustees let it to a tenant for £4 15s., and had allowed him to depreciate its value by breaking it up. In addition, the trustees spent some £16 in putting up a fence, which the man who made the highest offer would not have asked for. There was formerly a yard on the land, which had been allowed to disappear, and another thing which he thought was good cause for complaint was that the trustees had spent money in repairing the Boys' School since this inquiry had been mooted, and it was surely unwise to touch up old buildings when there was the possibility that new ones would have to be built. One of the causes of the strong feeling which had been aroused was a statement by a lady which was sent round with the *Parish Magazine*.

Mr. Jones said he did not think the reference to this would tend to get rid of the feeling.

Mr. Thomas: Then why was it sent round? He added that the Parish Council was in complete harmony with the Education Authority, and believed the provision of a Council School to be the only way in which the education of the parish would be restored to the basis upon which it stood when the founder of the Charity was himself alive, and also that it was the only way to restore peace in the parish, which had been unhappy about the matter for so long.

Mr. Cowan asked leave to submit two questions to the representative of the trustees:—(1) Were they prepared to apply for a new scheme, which would give representation to the Parish Council and to the Education Authority? (2) would they erect at the Boys' School sufficient rooms to accommodate all the children of the parish, and so bring them under one headmaster?

Mr. Jones could give no decided answer to the first question, but said the trustees were willing to comply with the second, and to provide a separate room where the Nonconformist children could be instructed in their religion, or in secular subjects while the Church of England children were receiving their religious instruction.

Mr. Simmonds said he was confident that if the trustees attempted to sell lands without applying to the Board of Education, in order to effect the improvements suggested, the Board would certify a case to the Attorney-General.

Mr. Jones intimated that if the trustees agreed to sell lands for the purpose named it must be upon the basis of the existing scheme.

Mr. Cowan said the Education Authority would not consent to any new scheme upon which the Education Authority and the Parish Council would not be represented (hear, hear).

Mr. Thomas remarked that it seemed certain that nothing short of a Council school would meet the rights and privileges of everybody in the parish.

Witnesses were then called.

Mr. Thomas Hinwood, the Chairman of the Parish Council, and a Wesleyan, stated that a Nonconformist was rarely allowed to rent the lands connected with the Charity. He said it was felt that the trustees should be selected in a different way, and that, it being a free school, no minister should go there to give instruction. He did not object to the

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M. and quoted as saying that the scheme was not legal upon it, to show that it was legally binding upon the trustees to conduct and manage the school as a Church of England school. He pointed out that there had never been any difficulty in carrying out this perfectly legal scheme, and submitted that that being the case, the duty of the trustees was to adhere to it, and not to apply to the Board of Education for a new scheme. Allegations had been made against the scheme with the view, if possible, of terminating the differences which had arisen in the parish, but these allegations seemed to have been based upon very little knowledge in law. At a parish meeting in 1903 the fact that under the scheme the Rector was to be always a trustee was criticised, and comment was made because he differed from the other trustees, who, in the event of bankruptcy, were to be dissociated from the scheme. This showed how little knowledge there was behind the statement, because if a rector became bankrupt sequestration followed, and he ceased to be rector. It was also averred at that meeting that the Charity Commissioners had expressed the opinion that the charity was not parochial one, but he submitted this was not the case, and no one in authority had ever said otherwise than that it was an Ecclesiastical Charity.

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Mr. Simmonds: I had better say at once that I should strongly advise the trustees not to try and do it (laughter).

Mr. Jones claimed that there were ample powers to provide further accommodation, if necessary, and it could be done without cost to the rates. On the other hand, if this Council School for 180 children were built, three-parts of the capital expenditure would be charged upon the rates, and it would not be less than £1,500. For this he submitted there was not the slightest necessity. They already had two

the Parish Council would they erect at the school sufficient rooms to accommodate all the children of the parish, and so bring them under one headmaster?

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James Marsh, aged 96, who is the oldest inhabitant, said he attended Dowse's School as a boy, and left when he was 6 1/2 years old. No religious instruction was given to him, and he did not remember any parson coming to the School in those days. He remembered Mr. Godwin, one of the masters, who was a Baptist, and his family as well.

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