

SONG.

Where the dew-drop steepeth the purple bell,
 And spangles the flowers of the vale ;
 Where the moonbeans gleam, on the rippling stream,
 Awaketh love's tender tale.
 Oh ! come to me, dearest, when all's at rest,
 And the bustle of day is o'er ;
 When the stillness of night, 'neath the pale moon's light,
 Wakes a chord that can sleep no more :
 Oh ! come with the fullness of glowing love,
 In the ardour of trusting truth ;
 And merry we'll be, 'neath the old oak tree,
 While love lights the blisses of youth ;
 Night's fairy visions invite thy steps,
 Then haste from thy desolate hall ;
 To where sylphide elves, from their moss clad delves,
 Are mocking thy lover's call.
 All nature is calm, and the beauteous moon
 Decks the love-ruffled lily bell ;
 Where in fancy's dream, near yon silvan stream,
 Young love—from its leaves—breathes his spell :
 Oh come ! and thy fairy form shall grace,
 The Elfin queen's mazy dance ;
 Oh ! come and impart, to thy true lover's heart,
 A bliss all life's blessings t' enhance.

 Oh ! then they tasted bliss, enchanting sweet,
 And uncloyed happiness, in love's retreat ;
 As free they roved beside the rippling stream,
 Or 'long the brown hill's brow, where valleys green,
 From clust'ring flowers, sent up the sweet perfume,
 That on their mossy banks uncultured bloom ;
 When birds sang sweetly from their leafy homes,
 To them how dearer far than palace domes—
 And nature clad in all her verdant charms,
 To nature's God, directs with outstretch'd arms.
 Love's eager souls in notes of gladness raise
 Their humble tribute to the day God's praise ;
 Then, fond imagination wing'd its flight,
 On aspirations most exalted height,
 Nor once look'd back upon the fleeting plain,
 From the high eminence love's flight had ta'en,
 But all was bliss—undying ever new,
 Pleasure on pleasure o'er enjoyment flew.
 Pure were their hopes, their joys, and undefined,
 The ever flowing bliss of either mind,
 For centre'd in that ne'er expiring flame,
 Their thoughts breathed concord, and their hearts the same,
 And Heaven's high protoplast engender'd zest,
 That was i'th' first created man imprest,
 By the Omnipotent's dread word approv'd !—
 Beam'd fresh in them and joy responded love.
 Love ! woo'd with hope, as life's enhancing glow,
 The most ecstatic joy Heaven can bestow,
 Or mortal crave—springs from that boundless cry,
 Of yearning hearts, to human destiny ;
 And that appeal—absorbing ! infinite,
 As highest Heaven's intense empyreal light !
 Mingling in one wide yell, awakes above,

The sleeping God, whose voice re-echos love!
 Sweet bridal bells, awoke the slumbering day,
 And laughing joy impatient mock'd delay;
 The anxious lover waits, his glowing breast,
 Yearns for the coming hour to make him bless'd;
 But yearning trembles, tho' he knows not why,
 Love's consummation should emit a sigh,
 O'er hope's departing rays! and yet a chill
 Of fear, around his bursting heart would thrill.
 Was it the cold formality that check'd
 His buoyant hope?—and left him thus deject?
 Was it, th' unwonted absence of his love,
 To greet his morning's ramble thro' the grove?
 Or, was it love's excess?—that nurtures fear,
 In spite of hope, till hope itself is drear.
 Oh 'tis indeed a spell, a wond'rous tie,
 That binds us thus in dream-like mystery!
 At length time usher'd in the wish'd-for hour,
 With all the halo of its mystic power,
 The bridegroom came, revealed in manly pride;
 The blushing bridemaids wait! But where's the bride?
 Trembling in search the youthful lover hies,
 His heart foreboding what his smile denies;
 Each hall! each room! each well remember'd spot,
 Young Coran sought—'twas vain—he found her not.
 The sun that set o'er that eventful day,
 Saw Helen wedded to a gallant gay;
 Whose tinsel'd pomp, whose gaudy grand parade,
 Had woo'd the pride, and won the beauteous maid.
 Oh! how the senses sicken at the thought
 Of barter'd love—by gilded baubles bought!
 The Prince,—when power and wealth attend his hand,
 With all the glitt'ring splendour of command—
 Outshines with dignity, and shews debased,
 Whom Fate's decrees, in meaner birth hath placed!
 Set but those men,—whose opposite extremes
 Fortune hath framed,—in equalness of means,
 How far the honest heart outshines the gild
 That decks the soul, with purse-proud greatness fill'd.
 The mirror set with glitt'ring gems, may claim
 A borrow'd lustre from its jewell'd frame;
 But its reflection no distinction bears,
 Tho' deck'd with gems, whose praise its beauty shares.
 The soul o'ershadow'd with pride's gaudy cloud,
 Reveals a worm beneath destruction's shroud!
 Shews nature's weakness, and awakes the dread
 That follows life-displaying mortal—dead!

END OF CANTO I.

The foregoing Poem displays much power, especially of description. The little boat accidentally at the very place at which it was required, at the very time when it was required—the little cloud—the mighty storm—all these are to young poets as much common property, as the heads and tails of Latin verse in the "Gradus ad Parnassum;" and although somewhat the worse for wear, our poet has really given them a freshness and a polish, which declares the working of a master hand. The versification is excellent, and

reminds us of the best models in the language—Pope, Goldsmith, Campbell, Rogers—all have been carefully studied, and successfully imitated. There are little marks of affectation, but they are not offensive, and will, we doubt not, be discarded in future efforts. There is no such English verb as “I surge,” nor is it required. The plain English of “surgo,” which is, “I rise,” answers every purpose. Neither was it necessary, that because the sun shone brightly—no uncommon occurrence here—the lovers should

“raise
Their humble tribute to the *day God's* praise.”

We thought, that instead of being believers in Him—the omniscient and omnipresent—“to whom the darkness and the light are both alike,” the lovers had been Pagan worshippers of the sun, until some mention was made of the Christian form—a certain important ceremony; and here on behalf, if not of all mankind, on behalf of all the virtuous and right-hearted maidens, who constitute a vast majority of their lovely kind, we enter our protest against the poet making all that is beautiful and enchanting in woman, a covering for the deepest perfidy and most wanton falsehood. The Arcadian shepherd has indeed been most unlucky in his shepherdess.

If the tale were given in sober prose, we should say that he who, taken only by a pretty face, falls over head and ears in love with a girl to whom he had never spoken, and of whose character he was wholly ignorant, deserved to be jilted. But we trust he has libelled the sex—and we are sure our fair readers will say so.

THE USURY BILL.

OUR limits did not permit us, in our last number, to do more than intimate very briefly our objections to the proposed measure for the compulsory reduction in the rate of interest; and the very able and elaborate discussions, in the course of which it has since been fairly argued out of the Council Chamber, render it unnecessary for us now to prove that it would have been as fallacious on the dangerous ground of expediency, as it was unsound in principle. Passing over the arguments of its successful opponents, that it would embarrass and obstruct the solvent and fair dealing party who might wish to become a borrower, whilst it would in no respect protect from himself the reckless and improvident, but cunning spendthrift, who, with the aid of a practised usurer, would by sale, by annuity, and by a hundred other modes well understood in London, and which would immediately be adopted here, accomplish without difficulty, his purpose of “a short life, and a merry one,” our present object is merely to point out how much it would have tended to aggravate, and extend the duration of our present acknowledged distress. It

would have aggravated it by immediately causing all English capital to be recalled, at whatever sacrifice might be necessary—and if there be two opinions upon the advantages to the colony of such transmissions, there can be but one as to the great suffering which would result from its now being violently wrenched out of its sockets of investment. It would have shaken the confidence of the lower orders in Savings' Banks and other recipients of safe deposit, and by destroying that constant perception of advancement in position, and steady progression towards some favorite scheme of becoming "independent," which to the earner of good wages 'saith more than thousand homilies' in favour of industry and temperance, have occasioned sad backslidings amongst those whose original habits were not firmly fixed, or whose reformation was imperfect. But above all, it would have extended the duration, by destroying all faith in existing contracts, and indeed all confidence between man and man. It would have enabled Lord Stanley, and those who in either hemisphere, delight in vituperating the colony, to bring graver charges against us than the use of "fictitious credit," and occupation in "hollow speculations,"—in one word, it would have created a general opinion in Europe, that New South Wales is, what Botany Bay was. With these opinions it may easily be supposed that we could not insert essays written in the editorial phrase of "we," in favour of the defunct measure, but we have to acknowledge, with thanks to the writer, the receipt of one in which all that could be said on the side of its supporters, is very ably and clearly urged, and from it we extract a concise and pertinent history of the Usury Laws, which the fate of the Bill will not have deprived of its interest.

"The divine precept against usury, in the sense of taking reward for the loan of money was—undoubtedly rather of a political than a moral nature, as we find that the Jews, though strongly forbidden to take usury from their brethren, were permitted to do so from the stranger. Nevertheless, probably from an imperfect comprehension of the Divine law on this point, there appears to have been in the earlier ages of the mother country, a powerful prejudice against the taking of any interest whatever, so much so, that in the earliest ages, the taking interest for money was only lawful when practised by Jews, and Christians guilty of so doing were held amenable to the Spiritual Court, and the goods and chattels of one, who, after his death was discovered to have been an usurer, were all forfeited to the King.

"As commerce and civilization increased, this prejudice appears to have gradually worn off. In the year 1486 we find, that by the 3rd Henry VII., c. 5 and 6, all *chevisance* and usury, (meaning all loans upon interest), were to be extirpated, and the brokers of such bargains to be set in the pillory, put to open shame, be imprisoned half a year, and pay £20—a large sum in those days.

"The 37th Henry VIII., on which the present English law is founded, repeals the preceding Acts, and renders void all bargains for loans made at a greater rate of interest than 10 per cent. per

annum. By the 37th Henry VIII., c. 9, the selling of goods or wares to any person, and repurchasing the same within three months afterwards at a lower price was forbidden. Some provision of this sort having been rendered expedient by the ingenious evasions practised by the usurers of that early period, for the purpose of setting at nought the acts at that time existing. By the same Act, the legal rate of interest was declared to be 10 per cent., and a penalty declared of treble the value of the security given for money lent at a higher rate, with imprisonment and fine at the king's pleasure against all who should do any act contrary to the Statute.

"By the 5th and 6th Edward VI., c. 20, this Statute was repealed, and the quaint preamble of the Act shows the opinion which that pious monarch entertained on the subject. "*But forasmuch as usurie is by the Word of God utterly prohibited as a vice most odious and detestable, as in divers places of the Holy Scripture it is evident to be seen, which thing by no goodly teachings and persuasions can sink into the hearts of divers greedie, uncharitable, and covetous persons of this realm; nor by any terrible threatenings of God's wrath and vengeance that justly hangeth over this realm, for the great and open usurie therein dayly used and practised, they will forsake such filthy gain and lucre, unless some temporal punishment be provided and ordained in that behalf:*" and the Act concludes by forbidding the lending of money for any manner of increase, upon pain of forfeiture, with fine and imprisonment at the king's pleasure. The Act 13 Elizabeth, repealed this, and once more partially revived the 37th Henry VIII., c. 9, prohibiting more than 10 per cent. The 21st James I., c. 17, further reduces interest to the rate of 8 per cent., but expressly declares that this Act in no way authorises the practice of usury either in religion or conscience. The next Acts on the subject, 12 Chas. II., c. 13, and 12 Anne, c. 16, successively reduce the rate of interest to six and five per cent., at which point it has ever since been allowed to remain, and it is remarkable that these last Acts make no mention of religious motives, but assign grounds of public policy as justifying the enactment."

Before we quit the subject, however, we have a suggestion to offer which we yet hope may be incorporated in our laws, and if he be not disheartened by the failure of one, and the mutilation in Committee of another of his measures, with, we think, uncalled for severity, by no one could it be taken up so well as by the honorable member for Sydney. In England, during the existence of the Usury Laws, a higher than the legal rate of interest established the alternative of usury, or *partnership*. Without a Usury Law, the latter provision might be introduced here to great advantage. Let it continue to be lawful for every man to employ his money, or other commodity to the best advantage—let borrower and lender arrange the rate of interest (that is, the decision of the profit yielded on the employment of the capital,) between themselves—no other parties have a right to interfere. But do not permit the capitalist by the agency of a man of straw, clothed for the purpose with that which is truly "fictitious

credit," or by taking advantage of the too sanguine expectations of the borrower, possess himself of the greater part, perhaps of the whole profits of the trade, or other occupation, throwing all the risk of failure upon those who may have been induced by the regular payments of the man of straw, for a time, to give that credit which should be given either on the faith of capital, or in reliance upon skill and industry although known not in the first instance to be supported by capital. Let us take a case—the assistant of a draper, grocer, or other tradesman, relying upon his knowledge of his trade, and upon a supposed connexion, wishes to start on his own account, in the same time, he requires £2000 to begin with, and proposes to some person who can advance it, an equal partnership, representing that the profits will be 70 or 80 per cent., and that, therefore the sleeping partner will gain 35 or 40 per cent. No, replies the capitalist, I will not go into partnership, but I will lend the money at 40 per cent., and you may have the other 40—it is the same thing to you—if you like that, go to my attorney just "to make it a regular transaction," and you shall have the money at once. The sanguine fool does so—he makes all "regular," by probably confessing judgment for the money. His first year is perhaps prosperous; he pays the 40 per cent., and lives upon the surplus; the next year the trade, a very good one, pays only 40 per cent.—the lender takes it all, and the borrower is insolvent—by the amount of his expenditure. The third and fourth years are no better; the lender of the capital becomes alarmed, and to obtain his money, sweeps away all the stock in trade. Meantime the borrower's regular payments at the commencement have obtained him general credit, but those who have given it, are put off with a miserable dividend, whilst he who has received back more than all his principal and a fair rate of interest, sustains no loss whatever. The infinite variety of trading operations would afford a similar variety of cases, but it is useless to multiply them—the illustration we have given is sufficient. We say, therefore, that without interfering with the ownership of property, there is a rate of interest (now perhaps 15 per cent.) beyond which, the receipt is so manifestly a participation in profits that the risk of loss should belong to the receiver in the first instance, and to those who have given credit to the virtual but concealed partnership in the second only—whether this should be limited to traders only, or whether sheep and cattle farmers, and agriculture should be considered as trades, for the purposes of the proposed act, and how professional persons should be dealt with, are matters of detail, which, if the principle be admitted are capable of easy adjustment.

SOIL AND CLIMATE OF NEW ZEALAND.

NEW Zealand, as a whole, is peculiarly adapted for the pursuit of those branches of agriculture which prevail in our own native land. The climate and soil fit it in an eminent degree for the habitation of the vine, the olive, and the fig—indeed the natives of the country cultivate almost every species of European fruits with wonderful success; and with the labour and skill of our countrymen, I have no hesitation in saying, that New Zealand might be made to yield fruits and vegetables in greater abundance, and of a quality equal, if not superior to anything grown in the most favoured parts of Germany. From its geographical position, the warmth of the summer, though adapted for the production of many tropical plants and fruits, is still, because of the insular situation of the country, so temperate, as to enable a labourer to work in the field in the middle of the hottest day in summer—and the winter is so mild and genial, that in most parts of the country both snow and frost are unknown. As regards salubrity of climate, New Zealand is unequalled by any country on the face of the earth, in no other can a man enjoy his own existence so much as in this—and in no other will he more certainly ensure to himself the blessing of perfect health. But, though the country is in itself so desirable, it is reasonable to suppose that certain parts of New Zealand are more desirable than others. Geographical position, and even local peculiarities, will in every country constitute a difference.

Besides the settlements of the New Zealand Company, which are principally situated on the opposite shores of the south end of the northernmost of the Islands of New Zealand, and the north end of the large, or Middle Island, there are two other settlements, one belonging to another English Company, and the other to some French Emigrants, together with the settlements in the middle and north end of the North Island, which are peculiarly under the direction of the British Government itself.

The French settlement at Akaroa is situated on the Middle Island, and on account of its situation and climate being the southernmost, is the coldest and the least desirable of all the settled portions of this country. At present, from peculiar circumstances, and some misunderstanding between the Governments of England and France, it offers no inducement whatever to the immigrant.

Proceeding northwards, the next settlement is that of Nelson, which belongs to the New Zealand Company, and though in many respects a more eligible situation than Akaroa, containing much good and rich land for agricultural purposes, there are several serious objections to this settlement. The harbour of Nelson is far from being a good or a safe one, and the country in the vicinity of Cook's Straits is subject to such strong gales of wind, as to render it greatly inferior to other parts for the cultivation of the grape.

Port Nicholson, the first and the largest of the settlements of the New Zealand Company, is liable to precisely the same objection as Nelson. From the precipitous character of the coast, and the absence of level land in the vicinity of the town, the settler is necessarily driven to a distance from the markets, and the country is so heavily timbered, that the expense of clearing land is, in many instances, too great for the limited means of a poor immigrant. The soil on the sides of the hills and vallies might be well adapted for the cultivation of the vine, but such frequent gales of wind prevail during the whole year, as to render this both a precarious and unsafe occupation. On the whole, I think I should be justified in advising my countrymen who intend to pursue the occupations they have been bred to at home, not to waste their time or their money in fruitless efforts at cultivating the vine, and the grape, in the vicinity of Cook's Straits, while other parts of the country offer such superior advantages.

Auckland, and the Bay of Islands, both on account of geographical and local position, are decidedly preferable to any one of the other settlements in New Zealand; and were I merely speaking of the country, as to its fitness for the cultivation of the grape, I should certainly give the preference to the Bay of Islands, and the country to the northward of the Bay, even over Auckland itself, or any of the settlements on the Thames. The climate to the northward being unquestionably the best, and the most equable in the whole country, and the soil in many parts partaking of the volcanic character, and of the richest description. Another advantage, possessed both by the Bay of Islands and Auckland, is the facility of bringing the land into cultivation at a much less expense than in any of the Company's settlements, as land of the very richest description, and equal, if not superior, to that in the Company's settlements, can be found in abundance, both in the vicinity of Auckland and the Bay of Islands, perfectly free from timber, being, in most instances, covered with tall and rich fern, of which it can easily be cleared, either by burning or cutting it. In the vicinity of Auckland, large tracts of such land exist, portions of which are already in cultivation, both by Natives and Europeans. Such land yielding crops equal, if not superior, to those produced from the most heavily timbered soil.

Although I have, in point of climate, given the preference to the Bay of Islands over Auckland, I would still, for various other reasons, recommend Auckland in preference to all the other settlements. The emigrant, besides the climate, and even the soil, must take into consideration such matters as the nearness of markets, the fitness of country for other agricultural pursuits, cheapness of living, means of education, &c.

In all these respects, the preference must be given to Auckland. The soil in the immediate vicinity of the town is exceedingly well adapted for the vine and the grape. Within a circuit of not more than seven or eight miles, no less than the remains of twenty extinct

volcanoes may be seen ; and around each of the little hills, in which these volcanoes formerly existed, the soil is rich, and peculiarly adapted for the formation of vineyards—surrounded as they are with innumerable small and beautiful vallies, with never-failing streams of water running through them, and completely sheltered from all winds. Independent of this, the district of Auckland affords easy and cheap communication by water to all the richest agricultural districts in the whole island : such as the great valley of the Thames—the plains of Manukau—the extensive countries on the Waipa and the Waikato, together with the Kaipara, Wangari, and various other settlements to the northward.

The land in this part of New Zealand is owned by three different parties. The original inhabitants still possess the largest portions of the country, but for reasons which no enlightened man can understand, they are *now* prohibited from selling to any person but the British Government. The Government has always for sale certain allotments of land, which they offer at the price of one pound sterling per acre ; but this is a price which a poor immigrant could not be expected to pay. Independent, however, of these two parties, there is another class of persons here, who own considerable tracts of land. These are Europeans, who have purchased land from the Natives before the British Government claimed the sovereignty of New Zealand. These persons are now receiving grants of portions of their lands from the British Government, and would be exceedingly glad to enter into any arrangements with persons desirous of settling upon their lands. They have been so long kept out of their possessions by the British Government, that many of them are, in consequence, in such indigent circumstances, that they cannot afford to introduce immigrants themselves for the purpose of cultivating their lands, on this account, very advantageous terms might be made with them. Their lands could be easily obtained on paying a very small rent for the first five, or any number of years, giving the emigrant, at the end of that time, the right of purchasing the land at a certain price fixed at the time that the agreement was entered into, which price would be much less than that which the Government now demands for their lands, and which an industrious family might be enabled to pay in a very short time from the produce of the land itself. So that, in point of fact, it is quite possible for a person with very little money to commence with, to become in a very short time, the proprietor of most valuable land, and in the most favoured parts of the country.

Extract from a Letter to the Germans intending to Emigrate to New Zealand.

CAPTAIN FITZROY THE NEW GOVERNOR OF NEW ZEALAND.

A new Governor has been chosen for New Zealand in the person of Captain Robert Fitzroy, of the Royal Navy, lately Member for the city of Durham. We hail this appointment with satisfaction. Captain Fitzroy, has already not only distinguished himself as a seaman of skill and science, (matters which go but a little way to constitute a claim to act the diplomatist in a community of various interests, or the guide and leader of a colony,) but, in the nautical narratives which he has put forth to the world, he has exhibited much judgment, a wide view of the commercial and political relations of the countries he has explored, and not a little earnestness in suggesting measures of policy and improvement. In 1826 Captain Fitzroy accompanied the *Adventure* and *Beagle*, under Captain Phillip King, to survey the coasts of South America. On his return in command of the *Beagle*, he brought home, at his own expense and risk, four natives of Tierra del Fuego, whom he made some endeavour to educate, in order that returning to their own country they might be of use in improving the character of their ignorant countrymen. Feeling himself bound to fulfil the obligation he had imposed on himself in regard to these Fuegians, Captain Fitzroy was on the point of taking out a passage for himself and his protegés in a private vessel for South America, when he was appointed by the Admiralty, (in July, 1831,) to the command of the *Beagle*, to proceed to Madcira, the Cape de Verde Islands, Fernando Noronha, and the South American station; where, after determining, in the first place, the exact longitude of Rio de Janeiro, from which all meridian distances in South America are measured, he was directed to report minutely upon the physical character of the coast, and on the rivers and harbours, from the Rio de Plata to the Straits of Magalhaen, and from thence to Valparaiso; and finally to proceed on his return home by Polynesia and the South Seas, completing the voyage round the world. The principle laid down by the Admiralty for the guidance of Captain Fitzroy, was, that "whatever was now done should be finally done," and the minuteness of the reports furnished by the Commander amply proved his capacity to fulfil directions, based upon the confidence reposed in his seamanship and general qualities. While his attention was directed to matters more especially falling under his province as a seaman and surveyor, the examination of the tides and currents, the periods and limits of the monsoons and trade winds, the reefs and shoals in his track, and, generally, to the physical geography of the countries he visited, his narrative embraces interesting views of the political and moral condition of the aboriginal inhabitants of America and Polynesia; and the scientific researches of the naturalist, Mr. Charles Darwin, who accompanied the expedition, have resulted in a valuable contribution to the zoology of one of the most interesting dis-