inapplicable. This was not one of the beyond the exact time prescribed. The friend would no doubt make the most of the ciroffences specified where the Magistrates Jury must bear in mind, that the offence could adjudicate. It was not in the nature of a mistaken entry, but of a false return. If it were a mistake, it remained with the desendant to prove it such. Evidence of the appropriation was furnished by the return.

Mr. Purefoy-The general principle contended for, of throwing the burden of a negative proof upon the defendant, was a dangerous one, and would not apply here. If an attorney apply for recovery of a bill of costs, he must, in the first instance, prove that he is an attorney. It is equally so in the present case. When a party is charged with appropriating money as poundkeeper, it must be proved that he holds such an office. The party guilty, and the prisoner was remanded for who makes an accusation must sustain it. It was dangerous to throw this duty upon a defendant. The 31st section of the act was imperative in limiting redress to be sought for offences committed under it to Justices of the Peace.

His Honor said, that the prosecutor had brought forward enough to establish the fact that the defendant was poundkeeper. Parties might impound cattle on their own ground, and therefore they were by that prisoner. ac:, and for the time, poundkeepers. The assument on this point might have been saved by producing the notification of the defendant's appointment, but the proof of his being such was quite sufficient as guilty of many dishonest actions, still, it stood at present. There was certainly a case to go to the Jury. The defence was then proceeded with.

Shields - Re-examination resumed -Witness will not say that he did apprehend defendant in May; he did not attend all Lloyd has been a dishonest person, for he the sales; when he apprehended defendant he took some cheques from his person; they amounted to £62 odd; the defend- any circumstances to be acted upon. This ant was kept four or five days in the is the view taken by the English Judges, lock-up; the distance between Scone and and he never would send a case to the Newcastle was about ninety miles; he Jury without intimating, that the testiarrested defendant on a Friday and thinks | mony of an approver unless corrob rated, he was committed on Monday; gave all was never to be trusted. Verdict, not the cheques to Mr. Robertson; saw them guilty. inclosed in a letter; they amounted to £62 odd, and there was besides £1 10s. in gold and silver; it must have been about the first of June that the prisoner lately residing at Newcastle, by inflicting wounds was sent down to Newcastle.

Mr. Purefoy-It was not wi hout deep regret, that he addressed the Jury on behalf of the defendant, who, although criminally prosecuted, was a person of great respectability. The charge against the defendant contained in the information, is a fraudulent appropriation of £1, and from documents, it appears that the government hold in their hands £12 belonging to the defendant. It was a principle recognized and acted upon, that guilt was never to be presumed. It belonged to those who preferred a charge to prove it. It was very possible, that the defendant might make a wrong entry in the poundbook, and if such was held to be an offence, then every clerk would be liable to a criminal indictment. This would certainly be a dangerous principle to act selected by the working classes, for the indulgence upon. He was instructed by the defend- of the vice of dru kenness, and the criminal ant to state, that the object he had in records of the colony shewed to what serious view, was to remit the amount of two. The learned gentleman then briefly detailed the sales to the Colonial Treasurer, and, that before he had an opportunity of doing so, of the prosecution. The Jury would hear this was defending the property under the impression that he was defending the property under the impression that he his person was arrested, and he was put in prons and his house ransacked. The they were at liberty to return a verdict accordlearned counsel would submit, that after inglythe defendant had been prevented by the operation of his arrest of complying with its case at length, it was volumnious, and in its nature more circumstancial than direct, but on what was alleged against him, that arrest the whole well connected, and accurately followed ought to plead his excuse. No evidence out. whatever had been shewn indicative of appropriation by the defendant. Warling's receipt, even if it differed from the amount entered in the books, by the sum of £1, could lead to no other inference than that it arose entirely from mistake. The evidence of Shields was liable to to some of them, that the defendant had been in prison for a period of nearly twelve months. He had no doubt the Jury would come to the conclusion, that the act of the defendant resulted from no deeper design than a simple mistatement of figures.

His Honor proceeded to charge the Jury-If the defendant had failed to account for the money belonging to the Treasury, it certainly was a fraudulent act. The learned counsel was correct in his remarks, when he stated that guilt was not to be presumed. The first point for the Jury to satisfy themselves upon was, whether the animal sold by the defendant at £4 7s., as specified in the receipt, was the same as that entered in the poundbook, at £3 7s. The sale took place on the 25th of April, and the defendant was apprehended on the 28th of May. On that occasion the money and cheques had been more arbitrarily taken from bis person than there appeared to be any occasion for. He could see no necessity for forcibly taking the money from his person, and forwarding it to the Colonial Treasurer. The Crown possessed advantages enough, by means of writs of distraint, without resorting to such modes. three lists, all of which seem deficient to the same amount. The letter of the defendant to the Colonial Treasurer shews, it also appears from the same letter, that enormity of bringing a prisoner in chains into the he was indulged in making his payments witness box to give evidence, and his learned expectations he had formed of the case before the house of Mrs. Carter, near the river, on and Mrs. Morris, and Mr. Egan.

could not be considered to have been committed until a failure was made in the payment, and that the defendant had not been considered as bound to pay on a particular day. The money was taken out of his pockets, without its being known whether he had intended to pay it away. The case in his Honor's opinion was not ripe, but he left if to the consideration of the Jury. The Jury imme-

diately returned a verdict of not guilty. James Williamson, late of Newcastle, labourer, was indicted for a rape on the person of a woman named Ann Hyde. The prosecutrix was the only evidence in the case. The Jury returned a verdict of sentence.

Arthur Henrietty, James Cox, and Richard Cox, late of Paterson, were indicted under a charge of teloniously killing and carrying away one cow, the property of Thomas Holmes, at a place called Russell farm.

Mr. Windeyer stated the case for the prosecution.

Mr. Purefoy addressed the Jury for the

His Honor in charging the Jury, remarked, that almost the only evidence in the case was the approver Lloyd, and although the prisoners had no doub been when they were brought before them charged with an offence, it must be proved. The evidence of an approver was always the most suspicious brought before a court of justice. There can be no doubt that has confessed it. The uncorroborated convictupon. testimony of an approver is never, under

WEDNESDAY.

John Barron, late of Newcastle, indicted on information of the Solicitor General, for the murder of a perso mained George Kennewall, on his person, on the firs of January last, in consequence of which he died on the following

day. Prisoner ple ded no guilty.

The Solicitor General in stating the case for the prosecution remarked, that the prisoner at the bar stood in his p esent awful situation, in consequence of having given way to those habits of intemperance which were so common in the colony, and to the indulgence of which reprehensible pra tice, much of the crime for which it was so remarkable is to be attributed. A state of intoxication is not held by the law to be an excuse f r crime, but rather an aggravation. In the case which would be submitted to them, it was difficult to conceive any reason for the commission of the the 'nry excited by intoxicatin: liquors. It would appear from the evidence, that at the Commercial Hotel, of Newcastle, kept by Mr. Groves, the prisoner at the bar and the deceased had casually A slight quarrel seemed to have taken place between them, and the subsequent murder of the d ceased, appears to have been the work almost of an instant. Saturday seemed especially

examined thought it amounted only to prove a manslaughter.

His Honor in charging the Jury, remarked, that it was state! in the indictment, that the deceased was blaten and bruised, and thereb. died. It was the duty of the Jury to take up the information and to see that it was followed out by the proof. His Honor then went into a minute and lengthened recapitulation of the evidence that had been led in the case, commenting on it as he went along, with great impartiality, and c included by great objections. It was probably known leaving it in the hands of he Jury. After hiving with rawn for a considerable time, the Jury on their return, found the prisoner guilty of murder. Remanded for sentence.

A prisoner of the crown named Noble, a witness in the above case, who humanely went to the assistance of the deceased after he had been beaten, was brought into court by order of the Judge, and informed by his Honor, that he would himself recommend him for a ticket-of-leave

Arthur Henrietty-Indicted for feloniously stealing, and killing, with intent 'o carry away, three cows the property of Mr. Richard Lang. Prisoner pleaded not gu ltv.

Mr. Windeyer addressed the Jury for the prosecution-The learned gentleman stated, that he had the honour to appear by permission of the Solicitor General. The crime for which the prisoner at the bar stood indicted was a very prevalent one in the district, and one by which a great loss of property had been suffered by individuals. In such cases it was always difficult to obtain direct evidence. In the present they would have the evidence of two accomplices but he trusted to be able o corroborate that testimony by several other witnesses. The Jury must not sunpose, however, that no discrepancies in minor particulars would be shewn by the evidence, that would be brought forward. Such would be always found to exist, in the description of any transaction by several individuals, and arose not from any real departure from truth, but from the different views taken by a number of individuals of the same occurrence—but this discrepancy in minute particulars however, could not be held to invalidate the substantial testimony. The highest truths with which man is acquainted, differ in their minute na ration, but this trifling variation is The defendant appeared to have made out justly held to be more confirmatory of their subthree lists, all of which seem deficient to stantial and undoubted correctness. He would say no more lest he should differ in some minute particular from the witnesses he should call. His learned friend Mr. Purefoy, who conducted the dethat there was a sort of running account | fence, would with his usual ingenuity avail himself kept between him and the treasury, and as far as possible, of the questionable character of the evidence. The Jury would probably hear of the

counstance; but it was the duty of the Jury to listen with unbiassed minds to the evidence he should place before them, and deliver a verdict arcordingly.

The evidence brought forward to support the case is far too long for us to give in a regular shape. The offence appeared to be one of many, in which the prisoner and others were alleged to have been concerned. In this case as in the one tried on the previous day, the principal evidence was furnished by approvers, with the material difference however, that in the present their tes imony was to some extent corroborated.

After the evidence had been adduced, Mr. Parefoy addressed the Jury for the prisoner .- The learned gentleman remarked, that the evide ce for the pr secution, depended upon men who had been deeply tainted with guilt, and ther fore must be viewed with suspicion and istrust. Although it was a doubtedly legal to convict on the evidence of accomplices, he did not hezitate to say, that it was unjust, and before a conviction could follow upon such testimony, it must be corrobo-rated in every material point. The only thing approaching to corroboration in this case, was furnished by a convict for life. These were the principal witnesse brought forward by the pro ecation-two men under sente ce, whi e punishment was hanging over the head of the third. It was the opinion of Justice Littleton, that it was of no consequence, whether there was the evidence of more than one accomplice. It did not the less require corroboration. The discrepancies were not on tifling and immaterial points, but upon great and important facts. Men no doubt relate occurrences as they remember them, there will be a difference in trifling minutia, but here the difference amounted to far more than this. The learned counsel here entered upon an examination of the evidence, commenting unfavourably on it as he went along, and concluded his address by remarking, that offences like the present were no doubt prevalent, but God forbid, that merely because they were so a conviction should follow upon insufficient proof. It was a remark of Chief Justice Hales, often quoted and admired for the benevolent and just feeling which it breathes, "th t it is better that ninety-nine guilty men should escape, than that one innocent man should suffer." The evidence was altogether unsafe to

His Honor summed up at considerable length commenting on the evidence as it bore on either side. The Jury after a short absence, returned a verdict of guilty. Sentence, fourteen years transportation.

THURSDAY.

Hugh Barron, convicted on Wednesday, of murder, was placed at the bar, and received sentence of death, with an intimation from his Honor that he should recommend its commutation to transportation for life.

Thomas Homer, assigned to Mr S. F. Mann, was indicaed for the murder of James Stone, the superinten ent of Mr. Mann's statio, at New England, by shooting him in the thigh on the 28th

From the evidence it appeared, that on the day named in the indictment the prisoner was seen going towards the hut occupied by the deceased, having a gun in his hard; that a report was shortly afte wards heard, and on some person proceeding to the hut, Stone was found bleeding profusely from the thigh. The prisoner said, on being questioned as to the deed, the Stone had threatened to take him o court for the purpose of preventing him (prisoner) from obtaining his ticket of-leave for which he was one, having served eight years on the station. Some days afte wards, when he was in custody, prison-r made a statement that the gun was a bad one, and went of at half cock by accident, while the deceased was in the act of pushing him out of the but; but, having thrown the gun into a waterhole, it could not be produced in orroboration of his assertion.

The Jury returned a verdict of guilty, whereupon his Honor passed sentence of death.

Mr. Purefoy, at the request of his Honor, conducted the prisoner's defence.

Richard Dines, superintendent of Mr. How's sta on on the Macintyre River, was indicted for the manslaughter of Thomas Devine, employed as a stockman on the station.

The Solicitor General briefly addressed the jury. In the present case there were no circumstances was defending the property under his charge from depredation by the blacks shot a man with whom he was on terms of the closest intimacy and friendship; and he had no doubt that the jury would arrive at the conclusion that under the circum-

stances the case was one of justifiable homicide. John Holringshaw deposed-Remembered the death of Devine, in November last; about ten o'clock that night all hands went to bed but not very long afterwards witness heard the report of a gun at the back of the house; he then heard a low voice call out "Mr. Dines!" Dines made reply "Who are you?" to which the answer was "Tom;" prisoner then ran into the room where witness and the other men were lying, and exclaimed, "Oh my God, I've shot Tom!" and ordered a light; prisoner brought Devine in his arms, and on examination found that the ball had entered the left groin; Devine never spoke after he was brought in prismer sent witness for a ho se while he wrote to acquaint Mr. Commissioner Mayne of the circumstauce, and on returning found him walking up and down outside the house in great distress; prisoner then told witness that when he had been some time in bed he heard a noise as of some one breaking into the skilling at the back of the house; that he got up and proceeded thither, and perceived the window darkened by some one passing it, but on looking out could see no one; that he went from this window to go to the front of the house, but on looking back he saw the window darkened a second timethat he then proceeded to his own room for a gun, and on returning saw some one, a black fello thought, half-way through the window—and that, with a view to deter the supposed black from effecting his entrance, he discharged his piece, but

with no intention to kill any one. In his cross-examination this witness stated that the room into which deceased was entering had been used as a store-room, and there was then some beef and flour there—that the b acks had been very troublesome in that neighbourhood, having a week or? two previously killed some cattle and speared two men, one of whom died in consequence, and a number of blacks were then encamped within a few rods of the house—that Dines was exceedingly partial to deceased, and had that evening made a fresh agreement with him to remain upon the station; no inquest was held on the body, it having been found impossible to keep the corpse until Mr. Mayne's arrival.

By the Judge.—Devine slept that night in the skilling, which was not his usual place.
Two other witnesses were called, whose testi-

mony was substantially the same as that given by Mr. Purefoy add essed the jury for the defence. alleging that the evidence clearly established the melancholy occurrence as one of justifiable homi-

cide, and therefore they would feel no difficulty in pronouncing the acquittal of the prisoner. The Judge then summed up-His Honor could not but tell the Jury, that the evidence against the prisoner had considerably disappointed him in the

General. The evidence adduced had shewn an entire absence of that caution which every person was bound to exercise before he discharged a deadly weapon against a fellow being, whether a white or a black man. The fact alone of the prisoner not having demanded who was there befo e he fired, made the case not one of justifiable comicide, but of manslaughter.

The Jury retired for a few minutes to consider their verdict and on their return pronounced the

pre oner not guilty.

The court was crowded to excess during this rial, and the finding of the Jury was received with evident gen ral satisfaction. Counsel for prisoner. Mr. Purefoy; attorney,

Wr. G. R. Nichols. Barney M'Cudden, was indicted for killing with intent to steal the carcasses of one bullock and williams River, on the 17th October, 18.8.

The evidence in this case was nealy the same as in that of Henrietty, conviced of a similar

offence on Wednesday, and therefore unnecessary to tepeat. The prisoner was found guilty, and entenced to fourteen years transportation.

#### LOCAL NEWS.

Escape of a Convict from the Stockade. -On Monday morning last, as the ironed gang stationed at Maitland were brought out to breakfast, two of the men were permitted by the sentry to go to the rear. After having been there for a few minutes, the sentry observed one of them skulking along the fence, and on alarming the guard a corporal ran with his musket towards the spot. The soldier repeatedly called out to the man to return, and he stopped and appeared to hesitate for a moment, but while the corporal was looking out for the other, he mounted the fence, and when in the very act of crossing it, the corporal fired and the man fell over into the road. The other convict skirted the stockade and made for a field of maize in the direction of the Sugar Loaf Mountain. He was closely pursued by several of the soldiers; but the one nearest to him had no arms, and those behind, it appears, were prevented from firing by the intervention of their comrade between them and the object of pursuit, otherwise the fellow might have been secured. After he had been lost sight of, he was tracked to a considerable distance, but from the marks it was evident he was fast outdistancing his pursuers. He has not yet been recaptured. The wounded man lies in a very dangerous state, but some hopes are entertained of his recovery. The ball penetrated beneath the shoulder blade, taking an oblique direction and coming out at the muscular part of the left arm.

The Judge.—Owing to the wetness of the weather, the public did not as had been intended, proceed to Morpeth on Monday morning to escort the Judge to town. The roads were in a wretched and anon occurring. Under these circumstances it was considered more advisable to meet His Honor in the Church. The Judge arrived at the Church at 'ten o'clock, and after listening to an impressive discourse delivered by the Rev. Mr. Rusden, proceeded to the Court

Prison Accommodation.—Such are the wretched accommodations provided for prisoners in this town, that there are no the law has been passed. When the just and they are almost caten up laws of our country impose the punishment of death upon those who have been found guilty of heinous offences, Humanity requires that they should be allowed all the advantages which quiet and abstraction from worldly affairs afford, in order that they may be enabled to meet the last contingency of their nature -to die with decency and composure, and to look forward to the future with that hope with which repentance for past crimes can inspire them. Indiscriminate confinement among a crowd of prisoners accused of every species of offence, cannot afford those opportunities for quiet self examination which men placed in such unhappy circumstances require, and therefore we charitably hope that better arrangements may be made for them in future. We have been induced to make these remarks from a circumstance that occurred during the present assizes. The life of an unhappy being had been justly forfeited to the outraged laws of his country, but on his removal from the bar after the awful sentence had been passed upon him, instead of being consigned to solitude and quiet in order to reflect upon his painful situation, he was placed in the common ward among a crowd of prisoners. When Justice has pronounced her ultimate doom. Humanity may be allowed to interfere to mitigate the mental sufferings of the criminal, that by repentance he may prepare himself for that dread hereafter which, although certain to all, is fixed to him.-The unfortunate man who has given occasion to this paragraph has, we understand. been since removed to Newcastle gaol, where he will be confined in a separate cell, and where every attention will be afforded him.

## JERRY'S PLAINS.

Since my last communication we have enjoyed most delightful weather. Rain and sunshine in pleasant alternations have clothed our pastures with rich and abundant grass, and recruited fields of corn that had been given up as lost. The plough and the spade are now in active operation.

court, from the introductory speech of the S licitor | the body of a ticket-of-leave holder named Swan, who expired suddenly on the morning of the 26th February last. It appeared. from the evidence of William Cain that the deceased was twenty-two years of age. that he had been since Wednesday resting at the house of Mrs. Carter, on his way to the Goulburn. He first complained of pain in the head on Friday afternoon-about midnight he fell backwards, and on raising him up he was found to be speechless. Dr. Jenkins stated that he was called in to visit the deceased, whom he found in a state of unconsciousness resulting from an advanced stage of apoplexy; that he bled him, and administered the remedies applicable to his case, but without effect, and had roade a post mortem examination of the body. The deceased, he ascertained, died from apoplexy arising from a softening of a portion of the posterior part of the right lobe of the cerebellum, into which an effusion of four ounces of blood had taken place. The Jury returned a verdict in accordance with the evidence of the surgeon.

Junas Strodo Viller Jackaiso

#### MACINTYRE RIVER.

OUTRAGES BY THE BLACKS.

The following letter describes a series of on rages committed by the Blacks of the M'Intere River, on the property of seatlers in that district, of a more extensive description than we ever recollect to have heard of. It will be perceived, that from one station they had driven off the entire hard of cattle, and placed those at defiance who came to rescue them. We shall allude to this subject at greater length in our next publication.

Sir,-I wrote by the bullock driver, informing you of the state of the River up to that time. I am sorry to state that things are getting much worse, and that the blacks are increasing their atrocites to such a pitch, that at present even life is not secure. There are but two policemen on the River, and their exertions are but of little avail, as the blacks now go in mobs to the amount of hundreds. The day before yesterday, the police, with Mr. G. Dight's stockman, went to Mr. Yeoman's station, and about an hour after their arrival, an immense number of blacks approached to the station, keeping the opposite side of the River, and even dared the men to approach them; previous to that, they drove away the whole herd of Cattle, and compelled the men to take the but for their own safety. They however were driven down the River by the police and Geo ge, uttering the most dreadful shouts. It is most probable, they would that day have attacked the but, but for the arrival of the police, who also went down the following day and found that they had speared the stock horse; they found his body on the other side of the River, not far from the but; shortly afterwar s, the police were on their way up the River to my hut, as the blacks' tracks shewed in that direction, and on approaching within about two miles of the hut, they fell in with the mob, who thought to surround them, as their number was but two, which, bu for their contiguity to the Plain, they might have effected; however, the police escaped to our place minjured. The blac s then took the Plain in the direction of Brown's hut, slaughtering a few head of cattle on their way. I, and Mr. Drake s stockman, were then on condition, and heavy showers were ever our way from Brown s, bringing with us a mob of cattle, all Drake's but one; they approached and made us relinquish the cattle; we being unarmed, we rode back to the hut as fast as possible for our arms, and fortunately the police had their horses in the yard, so we four set off immediately after them; we fell in with them about the spot where we left the cattle, they attacked us, and we then, but could not compel them to take the Plain in consequence of their number. We engaged them until the close of the evening compelled us to depart, but with what effect we know not, as the place they got into was surrounded by trees. You, Sir, may easily imag ne how we are circumstanced, afraid even to let our horses separate cells allotted for those unfortu- leave the hut, where there is scarcely any feed for nate men on whom the last sentence of them, excepting what few reeds we can collect,

I remain, Sir, your obedient servant,

February 9, 1842. P. S. Feed is exceedingly bad on the run for want of rain, consequently there are few cattle on it, and it is out of my power to go after hem.

## NEWCASTLE.

From our Reporter.

On Friday, 4th instant, Mr. James Hannell appeared at the Police office to receive the decision of the bench on an information charging him with a breach of the licensing act. After a great deal of foolish altercation, in which the magistrates also participated, Mr. H. was fined £5 and costs. The southerly breeze has brought in several

coasters for coal. State of the Gaol, March 5 .- For trial, 53 males 2 females; remanded, 1 male; from other stations, 4 males 4 females; transportation, 15 males; treadmill, 1 male; hard labour, 10 males 7 females : cells, 5 males 1 female ; debtors, 3 males : witnesses, 3 males 1 female; fines, 11 males 2 females; bail, 1 male; assignment, 34 females. Total, 107 males 51 females.

## SYDNEY SHIPPING.

From London, via the Cape of Good Hope, 3rd March having left the former port the 28th October, and the latter the 2nd January, the ship Royal George, Captain Richards, with mer handisc, Passengers—Mr. and Mrs. Warland, Mr and Mrs. M'Donald, Mr. and Mrs. Hyodes, Mr. and Mrs. Wheeler, Mr. and Mrs. Boyd, viss Boyd. Miss Milner, Miss Wheeler, Mr. Hampdon, Mr., Chennery, Mr. Jeffrey, Mr. Patrick, Mr. M. Donald, Mr. C lley, Mr. Griffin, Mr. Nicholls, Mr. Boyd, eight intermediate and twenty-nine steerage.

From Plymouth, March 6th, having left on the 26th October, the barque Pulestine, Captain Sims, with 200 immigrants, under the superintendence of Mr. John Birtwistle. Passengers-Mr. and Mrs. Davis, Miss Davis, Miss F. E. Davis, Miss L. Davis, Mr. H. Davis, Master F. Davis, Master S. Davis, Messrs. F. Ludlow, R. Bridges, T. Pearson, J. F Mann, and five intermediate.

From Portsmouth, same d y, having left the Downs the 26th October, the barque Maitland, Captain Thompson, with troops. Passengers—Captain Frank Adams, 28th regiment, Ensign Brown, 28th regiment, Ensign Welsh, 80th regiment, Assistant Surgeon De Lisle, 96th regiment, Lieutenant M'Gregor, 21st Pusileers, Mrs. M'Gregor and chil, Mr. Eichbaum. Commissariat Clerk, 313 rank and file of the 28th, 96th,

and 80th regiments, 1? women and nine children. From Co k, 8th March, having left the 9th of November, the ship Woodbridge, Captain Dobson, with 236 immigrants, under the superintendence of Mr. John Churchill. Passengers-Miss An Inquest was held last week at the Howard, Mr. Morey, Mr. and Mrs. Gordon, Mr.

#### ORIGINAL POETRY.

THE MONSTROUS BOY.

AIR-" The minstrel boy to the wars is gone."

The monstrous boy to the Plains\* is gone, On the Gwyder's banks you'll find him; His father's sword he has girded on-His double-barrel slung behind him.

" Land of Beef!" said the Squatter bold, "Though all the blacks betray'd me, A stockyard shall my cattle hold-My pistols, too, shall aid me."

The Squatter fied! for bohea and spleen Soon brought his gaunt form under; The hut he built ne'er stood again, For he tore the slabe asunder.

And said, " No more of this for me-Damper, and beef, and misery! To the Hunter settlers I will flee For peach preserves+ and gaiety."

Liverpool Plains. + The Monstrous Boy had a penchant for peache

# COLONIAL PURSUITS. THE natives of Great Britain, in common

with every other people, carry their national and distinctive character into the colonies and communities which they form in distant lands. This, however, is somewhat modified by circumstances and climate; and the John Bull transferred to the Australian colonics, though retaining still the groundworks of his national character, is somewhat different from the same personage breathing the moist atmosphere and imbibing the heavy wet of his native climate. Much of his bull-dog stubbornness leaves him, and he acquires from the circumstances of the society in which he is placed a greater versatility of character, and a ready talent of adapting himself to WE, in common with every other inhabitant these colonies gives way to a frivolity of acredisposition, and readily avails himself of expedients which he would consider it below his dignity to resort to at home. The whole population is here actuated by one seems to settle himself for any length doctors of medicine turn commission agents and graziers, and dairymen from the country will come into town and commence business as grocers and general faced citizen, if the whim strike him, will air and rough usage of the bush, and comshepherds. Indeed, there is no pursuit, however foreign to their natural habits, which men in these colonies will not resort to and carry on with a degree of energy and knowledge which appears like intuition. Few people here are contented with one pursuit. Every one has generally got three or four irons in the fire at the same time. The great aim of all classes is, to make money; and, provided it can be obtained, they are generally by no means solicitous about the respectability of the pursuit by which it is acquired. Perhaps, after all, the great requisite to success in any of the common pursuits of existence, however foreign they may be to our previous habits, consists in a zealous desire to succeed in them-a determination at all hazards to get on in the world. Certainly, no person in these colonies considers anything beyond his experience not to succeed to the extent the colonial treasury to the verge of bankexpected or desired, people resort to another probably requiring talents diametrically opposite, and seem to enter into all its peculiar arrangements and contingencies as a matter of course.

While the great body of the people are thus distinguished by an eager industry, territories of the Canadas, where the soil and a restless desire to advance their pros- is composed of the richest vegetable earth pects in the world, there are others of a | -land is freely disposed of at five shillings very different temper, whom no experience per acre. In New South Wales, on the can ever teach the wisdom of provident contrary, where the soil is in many places habits. These are what are called the old of a poor quality, and where it is constantly hands-men who have originally arrived in the colony, probably at a very early period long-continued droughts, and where, of their life, as convicts, but whose period moreover, the price of labour rules of servitude has long expired. They are principally employed as stockmen, sheepshearers, bullock drivers, and shepherds. Such are generally bold, fearless, reckless fellows, but being thoroughly acquainted with bush life, and long accustomed to its roughness and shifts, they form very useful of the soil. On what grounds such a disservants to the settlers. They are not tinction was made in the value of land in however, to be depended upon when these two colonies of New South Wales any strong temptations fall in their way, and Canada, we cannot conceive; but the and cannot under any circumstances resist great difference in their price has, we are the attractions of their own favorite aware, operated very much to the disadbeverage-Rum. Kept free from this evil vantage of this settlement. A country influence, they are tractable enough, which is essentially pastoral cannot, it is of the Herald, whether, if their collector though somewhat rough and inclined to evident, possess the same territorial value were to throw up his appointment, return mine, she can make pastry.

insubordination if injudiciously treated, with that where the soil is rich in every his books with a message that he had RETAIL PRICE CURRENT never at a loss for expedients when any thing goes wrong. In circumstances where the immigrant servant is completely at fault, they always contrive to bring themselves successfully through. In their most reckless and daring exploits good vices are invaluable to parties making exploratory excursions into the uninhabited interior. These men have become so habituated to evil courses as to be altogether irreclaimable. Their dissipation has grown into a system. Their life is passed between extremes of abstemiousness and hardships, and the most reckless prodigality and selfish indulgences. After a hard service of some months in the interior, they come into town with their kangaroo skin kitts strapped to their back, and their dearly earned money in their pockets, and betaking themselves to some of the low haunts of dissipation with which every town in the colony abounds, give themselves up to dissipation in its most vulgar form. In the way they set about it their purses do not long hold out, and with the stoppage of the supplies when the money runs short, sobriety slowly returns, after which they are again compelled to betake themselves to the bush, whence they return after the lapse of another short period of servitude, to run a similar vicious and degrading course. Such is the regular, or rather irregular, round of their existence, and it is perhaps fortunate that it cuts them hurriedly off before the destitution of old age overtakes them.

#### CROWN LANDS.

the ever varying and shifting necessities of of the colony, were greatly surprised and colonial life. Probably the difference of disappointed to learn, on the promulgation climate is principally concerned in pro- of the new land regulations, that, contrary ducing this modification of character, to the general expectations, the price of which the most superficial observer can- country sections was still to be maintained not fail to perceive exists. John Bull in at a rate so high as twelve shillings per There can be no doubt that the arbitrary

value thus imposed on the crown lands by

the government will greatly retard the improvement of the colony, and, instead a spirit of restlessness and change. No of augmenting the revenue derived from its territory (which seems to have been of time to any particular business or purthe intention in affixing the present suit. It is not thought necessary to rate, has diminished, and will still further success in any particular branch of busi- lessen, its amount. New South Wales, ness that a person shall have been bred to though possessing great beauty and saluit. The people can turn themselves with brity of climate, contains a greater prowonderful celerity to every traffic and portion of inferior land than perphaps any pursuit, and be equally at home in all. A other dependency of the British crown. person who has been a baker one week, The pasture yielded by its inland plains may very probably be the owner of a large and ranges, though sweet, and possessed render this course remunerating. butchering establishment in the next; of great fattening qualities, is yet so thinly planted on the surface of the soil that a comparatively great superficial extent of ground is required for the support of stock. If land were purchased for this purpose at dealers. On the other hand, the pale- the price fixed by the government, it never could remunerate its proprietor; as it reboldly peril his delicate person to the free quires an extent of from three to five acres (according to the quality of the herbage) lessened considerably the amount of the land revenue. From a mean and covetous fear of disposing of the crown lands at a rate below their value when passed into the hands of enterprising men, they have run into the opposite extreme, and fixed a price upon them which will materialy effect their sale, threaten the ruin of the capacity. If one pursuit is found upon land fund, and seems calculated to bring

> In the fertile prairies of America, where the herbage is of the most luxuriant description, and where an abundant supply of moisture ensures a constant succession of vegetation-as well as in the wooded liable to be burned up by excessive and exceedingly high, an exorbitant rate has been imposed upon land, as if for the very purpose of augmenting and rendering altogether insurmountable the difficulties naturally presented by the peculiarities of the climate and the inferior nature of much

variety of agricultural produce, and ren- declined acting for them in that capacity dered accessible by majestic rivers. This is easily proved by the relative price such he had received on their account, and then lands bear in the old European countries; leave Sydney without any further intimaand yet, in defiance of this plain and obvious truth, established by common sense and immemorial experience, the government, in so far as respects this luck always attends them, and their ser- colony, have acted on a diametrically opposite principle. The consequences are now beginning to be felt. The settlers of New South Wales, buoyed up by a fictitious prosperity, thought no price too high to give for land; but, things having again returned to their natural and sober order, the madness and the folly of their former actions have now become revealed. It will be long, however, before the colony overcome the loss which the abstraction of so much capital into unproductive channels

has occasioned her. This then is another grievous evilunder which the colony labours, and which if is necessary to remedy if possible. The price of crown land must be considerably reduced, and greater latitude allowed in selecting it. The present high rate imposed upon it is exceedingly detrimental to the interests of private individuals, a habitants of this Colony, and the public in drawback on the prosperity of the colony, and hurtful, we are persuaded, even to the land revenue, which it was meant to bolster up and increase. We have not the slightest doubt that were the price of public land reduced to five shillings per acre, as was expected, and greater facilities afforded for its acquisition, the funds derived from its sale would very much exceed those at present obtained, and the general prosperity of the colony would also be very materially increased.

We wish the redress of public grievances and the alteration of impolitic courses could be as easily effected, as it is to point out where they exist. But what an extent of complex and cumbrous machinery must be put in motion before even the least political error can be corrected. Measures involving the prosperity or the peace of nations are often resorted to, after a deliberation of a day or an hour; of which years of popular agitation and opposition may not be sufficient to insure the abrogation. We are willing to hope, however, that it may not be so in this case; and that, as experience has clearly proved that the price at present fixed on the lands of the crown far exceeds their real value, it will as speedily as possible be reduced to such a low and reasonable rate as will induce men of capital to purchase land and improve it, which they will no doubt be eager to do so soon as the requisite reduction in its price will

# THE "SYDNEY HERALD."

WE were not at all surprised to find in the Sydney Herald, of Thursday, March 3, a most ambiguous, unmeaning, and senseless article, under the head of "Newcastle Law," since that paper has long that no bench, upon the evidence I could mence a new career of speculation as to feed a single sheep, and a quantity corowner of flocks of sheep; retired officers respondingly greater to sustain cattle or turn graziers, dairymen, or vegetable gar-horses. A very great portion of this coun-label management. It has latterly sunk ask you, Sir, whether it is not the deners; masters of vessels advance into try can only be applied for the purposes of into a paper of a third rate class, when merchants; and seamen, with a very little grazing, because much of the distant in- compared with the other journals of the training, make excellent ploughmen and terior, although naturally it may be suited colony. Its columns are the receptacle for agricultural cultivation, cannot be so for slander and vulgarisms, and open to appropriated, from the distance and inac- the balderdash of any hireling that may cessibility of its situation, and the want of be desirous of exhibiting himself to an water communication. These are all con- Australian public. We cannot coincide siderations that naturally suggest the pro- in the opinion of our contemporary of priety of imposing a low intrinsic value the Australasian Chronicle, that Mr. upon the soil; but the government, in Mansfield is the editor of the Herald, affixing that value, has entirely overlooked because it is well known that Mr. Mansthem: and, by setting a price upon the field is a man of talent, and would discard colonial lands exceeding their real value, the imputation of being the author of have seriously retarded the progress of articles calculated to disgrace the meanest agricultural improvement, thrown obstacles capacity. We would advise these Siamese in the way of sheep and cattle grazing, and twin editors, proprietors, or printers of the Herald, to return to their original and more suitable avocations, which, no doubt, they were capable of performing in a creditable manner; but the idea of these prodigies endeavouring to control the public opinion must be amusing even to the infant population of this colony. But it may be, that these wise sages of the ninetcenth century, in the plenitude of their wisdom, will not condescend to evaporate their most superlative ideas on minor subjects, which may in some measure account for the manner in which the article in question was penned. It states, that the report of a case which occurred at the police office at Newcastle, and was published in the Hunter River Gazette, " was so evidently written by a person who is perfectly ignorant of the art of reporting, that they could ascertain but little of the merits of the case from it." Now, we were always of opinion, that a verbatim report-nothing defracted from, or appended to it-was a proper one, and the method adopted by all persons who wished to give an unbiassed and impartial accounts of what occurred in the several courts; but, it appears that the profound sagacity of a Kemp and a Fairfax, has discovered that only a garbled, partial report, is a proper one-to have added, for a paper so destitute of truth as the Herald. In the next place they contend, "that from the complainant's own shewing, there had been no settlement of accounts between the parties." In reply to this assertion, we would ask the publishers

any longer, and had paid over all moneys Aletion, whether they would call that a settlement of accounts or not? These redoubtable geniuses then go on to say, "that knowing that proceedings have been instituted against the complainant for a malicious prosecution, they would not have alluded to the case at all, had not the complainant so far forgotten himself as to write a long comment of his own case in his own paper." We can inform these worthy gentlemen, that we commented on the proceedings in our own paper, for three reasons:-First,-Because Mr. Hobler had evidently heard but one side of the question; Secondly-Because we were auxious to convince the public, that we had not combined with any person to chisel a subscriber out of his money; Thirdly-Because we considered a correct statement of the case was absolutely necessary, after the extraordinary and unprecedented proceedings which took place at the police office, to shew the in-England, the manner in which justice is administered here; and to inform them that George Hobler, Esq., is one of the magistrates of this territory! These conductors of the press, who appear to know as much about law as they are capable of judging common sense, conclude by remarking, "that the complainant was wrong in taking criminal proceedings in a case, which at the most could only have amounted to a civil debt." If they betray such utter ignorance, we would advise them to ask the devil in their own printing office, the difference between a person performing the duties of a general agent, and one who is appointed for a specific purpose?

### CORRESPONDENCE.

To the Editor of The Gazette. SIR,-I beg leave, through the medium

of your paper, to lay the following statement of facts before the public :- About the month of September last, Messrs. Day, Scheberras and Allman, discharged from my service, two indented apprentices, upon the affidavit of two witnesses; feeling myself injured, and knowing that I had done justice to the two lads in every respect, I appealed to the Quarter Sessions held at Maitland, which appeal was granted, and ordered to be heard at the Sessions which commenced on the first of March, but strange to say, after I had my witnesses, and one of them from Sydney, at a very considerable expense and loss of time, it could not be heard; and for what reason do you think? because a Magistrate could not be obtained to sit with the Chairman; and by which means I have been deprived of the services of the boys for three months longer, for I am fully persuaded, ask you, Sir, whether it is not the duty of the law officers of the Quarter Sessions, to see that a Magistrate is ob ained for the special purpose of hearing any appeal case that is likely to come before the court For the same cause it may be put off at the next Sessions for three months longer, consequently my witnesses will be completely tired of attending the court, and the consequence will be, that I shall have no redress, and justice will only be made a mockery in the case; and from the loss of my apprentices I shall in some degree be seriously injured. I certainly think, that gentlemen should not take the honor of being J. P's, if they think the duties not worthy attending to; and it is to be hoped that when our excellent Governor makes out a fresh list, he will make an addition of some working Magistrates, for the sake of the public at large.\*

I am, Sir, your obedient servant, VINCENT GEORGE WILLIAMS. Maitland, March 7, 1842.

\* Should it be put off at the next Quarter Sessions, for the want of a Magistrate, I shall feel it my duty to lay the case before Sir George Gipps, who I am persuaded, from his high character for justice and impartiality, will condescend to listen to, and give me that redress which I cannot obtain from a Public Court of Justice.

# EXTRACTS.

An Amiable Young Lady .- This is a simple, soft, simpering, milk-and-water, fair-haired, pretty creature, who assents to every word that every body says, and has a continual reiteration of bless me's, and dear me's, in a tone of wonder to every thing that is relating, and whom no theme seems either to tire or to interest. She disclaims all privilege of thinking for herself, and professes always to be no judge, whatever the question be, whether of religion or science, politics or weather. She seems to be aware of nothing, but that she has a pretty face, indicated by the studied arrangement of her curls and her dress. This creature sings sweetly, and plays with a languid unmeaning air. She can dance too, and she can read a French motto upon a bride's cake or card seal. She can paint butterflies and jessa-

Dunbar's, per dozen Bass's, hogshead Beer—	€ 0 6	<b>s.</b> 15 15	d. 0 0
Hunter Brewery, hogshead Bread, loaf of 4 lbs. Butter, fresh, lb. Bricks, 1000 , flooring, 8 in. sq., doz. Butcher's meat—	2 0 0 1 0	5 1 2 5 3	0 0 0
Beef, lb. Mutton Pork Veal Cheese Candles—	0 0 0 0	0 0 0 0	3 6 6 10
Mould, lb Dip Coffee, lb Coal, ton Eggs, dozen Flour—	0 0 0 1 0	0 0 1 3 1	10 8 8 0 0
First quality, 100 lbs. Second Bran, 100 lbs. Firewood, load Grain—	1 0 0 0	1 18 6 5	0 0 0 0
Wheat, bushel  Maize Oats (Derwent)  Barley 3s. to Hay, ton Hops, lb. Hides (green), lb. Lime, bushel Milk, gallon Porter—	0 0 0 8 0 0 0	6 5 5 0 2 0 1 1	6 6 0 0 0 6 4
Colonial, hogshead English, dozen Rice, lb2d. to Salt, cwt. Soap, lb., per box Spirits—	0 0 0	15 0 8 0	0 3 0 5
 Brandy, gallon Gin Rum Stock—	1 1 0	3 2 17	6 6 0
Bullocks, fat£6 to  "working£5 to Cows, milch£3 10s. to Sheep, ewes 10s. to "wethers£20 to Horses£20 to Poultry—Ducks, couple "Fowls "Geese Sugar—	7 10 5 0 0 60 0 0	0 0 15 12 0 4 3	0 0 0 0 0 0 6 0
Mauritius, lb. Loaf Turpentine, gallon Tea, lb. Tobacco, lb. Timber-	0 0 0 0	0 0 10 3 4	4 8 0 6 0
Cedar, cut, foot. Hardwood, 100 feet Joists Shingles, 1000 Vegetables—	0 0 0	0 16 0 12	4 0 0 0
Onions, lb. Potatoes, cwt. Wool, lb: Wines————————————————————————————————————	0 0 0	0 4 1	4 0 2
Port, dozen Sherry Claret Champagne House Rent—	_	2 15 10 15	0 0 0
Cottage of two rooms, per week Cottage of four rooms, brick six House Small farms in the immediate the town may be obtained on annual rental of about 40s. p	2 vici	12 15 0 nity	0 0 0 0 of of
	=	=	=

# TERMS.

Subscription—Ten shillings per quarter: single number, one shilling. The quarters terminate the 31st March, 30th June, 30th September, and 31st December, respectively. Subscribers who are not resident in Maitland are required to pay six months' subscription in advance, or gice reference to a respectable agent in

Advertisements—For eight lines, and under, three shillings and sixpence, and one penny for every additional line, for each insertion. The number of insertions must be legibly written on each advertisement, or it will be continued till countermanded, and charged to the party. Advertisements cannot be received later than twelve o'clock on Friday morning; and orders to withdraw advertisements must be sent to the office before four o'clock on Wednesday afternoon, or they cannot be attended to. No rerbal communication respecting the insertion, withdrawal, or alteration of advertisements, will be attended to. Advertisements from non-subscribers must be paid for previous to insertion.

All letters must be post-paid.

Printed and published by the Proprietor. THOMAS STRODE, of and at the General Printing Office, West Maitland, in the District of Maitland, County of Northumberland, and Colony of New South Wales. - SATURDAY, March 12,