

inapplicable. This was not one of the offences specified where the Magistrates 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 defendant 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 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 act, and for the time, poundkeepers. The argument 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 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 the sales; when he apprehended defendant he took some cheques from his person; they amounted to £62 odd; the defendant was kept four or five days in the lock-up; the distance between Seone and Newcastle was about ninety miles; he arrested defendant on a Friday and thinks he was committed on Monday; gave all the cheques to Mr. Robertson; saw them 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 was sent down to Newcastle.

Mr. Purefoy—It was not without 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 pound-book, 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 upon. He was instructed by the defendant to state, that the object he had in view, was to remit the amount of two sales to the Colonial Treasurer, and, that before he had an opportunity of doing so, his person was arrested, and he was put in irons and his house ransacked. The learned counsel would submit, that after the defendant had been prevented by the operation of his arrest of complying with what was alleged against him, that arrest ought to plead his excuse. No evidence whatever had been shewn indicative of appropriation by the defendant. Warning'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 great objections. It was probably known 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 pound-book, at £3 7s. The sale took place on the 28th 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 his 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. The defendant appeared to have made out three lists, all of which seem deficient to the same amount. The letter of the defendant to the Colonial Treasurer shews, that there was a sort of running account kept between him and the treasury, and it also appears from the same letter, that he was indulged in making his payments

beyond the exact time prescribed. The Jury must bear in mind, that the offence 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 it to the consideration of the Jury. The Jury immediately 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 guilty, and the prisoner was remanded for sentence.

Arthur Henrietty, James Cox, and Richard Cox, late of Paterson, were indicted under a charge of feloniously 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 prisoner.

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 doubt been guilty of many dishonest actions, still, 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 Lloyd has been a dishonest person, for he has confessed it. The uncorroborated testimony of an approver is never, under any circumstances, to be acted upon. This is the view taken by the English Judges, and he never would send a case to the Jury without intimating, that the testimony of an approver unless corroborated, was never to be trusted. Verdict, not guilty.

WEDNESDAY.

John Barron, late of Newcastle, indicted on information of the Solicitor General, for the murder of a person named George Kenneally, lately residing at Newcastle, by inflicting wounds on his person, on the first of January last, in consequence of which he died on the following day. Prisoner pleaded not guilty.

The Solicitor General in stating the case for the prosecution remarked, that the prisoner at the bar stood in his present 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 practice, 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 for 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 fatal act, except by viewing it as proceeding from the jury excited by intoxication: 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 met. A slight quarrel seemed to have taken place between them, and the subsequent murder of the deceased, appears to have been the work almost of an instant. Saturday seemed especially selected by the working classes, for the indulgence of the vice of drunkenness, and the criminal records of the colony shewed to what serious crimes it too often led.

The learned gentleman then briefly detailed the evidence that would be brought forward in support of the prosecution. The Jury would hear this evidence examined before them, and if they thought it amounted only to prove a manslaughter, they were at liberty to return a verdict accordingly.

In this case will not permit us to give the evidence in its full extent, it was voluminous, and in its nature more circumstantial than direct, but on the whole well connected, and accurately followed out.

His Honor in charging the Jury, remarked, that 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 concluded by leaving it in the hands of the Jury. After having withdrawn 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 to carry away, three cows the property of Mr. Richard Lang. Prisoner pleaded not guilty.

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 to corroborate that testimony by several other witnesses. The Jury must not suppose, 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 or rational, but this trifling variation is justly held to be more confirmatory of their substantial 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 defence, would wish his usual ingenuity avail himself as far as possible, of the questionable character of the evidence. The Jury would probably hear of the enormity of bringing a prisoner in chains into the witness box to give evidence, and his learned

friend would no doubt make the most of the circumstance; 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 accordingly.

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 testimony was to some extent corroborated.

After the evidence had been adduced, Mr. Purefoy addressed the Jury for the prisoner.—The learned gentleman remarked, that the evidence for the prosecution, depended upon men who had been deeply tainted with guilt, and therefore must be viewed with suspicion and distrust. Although it was undoubtedly legal to convict on the evidence of accomplices, he did not hesitate to say, that it was unjust, and before a conviction could follow upon such testimony, it must be corroborated in every material point. The only thing approaching to corroboration in this case, was furnished by a convict for life. These were the principal witnesses brought forward by the prosecution—two men under sentence, with 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 trifling 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 minutiae, 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, "that it is better that ninety-nine guilty men should escape, than that one innocent man should suffer." The evidence was altogether unsafe to convict upon.

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 his commutation to transportation for life.

Thomas Homer, assigned to Mr. S. F. Mann, was indicted for the murder of James Stone, the superintendent of Mr. Mann's station, at New England, by shooting him in the thigh on the 28th July last.

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 hand; that a report was shortly afterwards 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, that Stone had threatened to take him to court for the purpose of preventing him (prisoner) from obtaining his ticket-of-leave, for which he was due, having served eight years on the station. Some days afterwards, when he was in custody, prisoner made a statement that the gun was a bad one, and went off at half cock by accident, while the deceased was in the act of pushing him out of the hut; but, having thrown the gun into a water-hole, it could not be produced in corroboration 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 station 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 against the prisoner indicative of malice, but purely accidental, having, under the impression that he 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 circumstances the case was one of justifiable homicide.

John Hollingshaw deposed—Remembered the death of Devine, in November last; about ten o'clock that night all hands went to bed but very long afterwards witness heard the report of a gun at the back of the house; he then heard a loud 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, prisoner sent witness for a horse while he wrote to acquaint Mr. Commissioner Mayne of the circumstance, 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 if 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 time—that he then proceeded to his own room for a gun, and on returning saw some one, a black fellow, he 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 blacks 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 testimony was substantially the same as that given by the first.

Mr. Purefoy addressed the jury for the defence, alleging that the evidence clearly established the melancholy occurrence as one of justifiable homicide, 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 expectations he had formed of the case before the

court, from the introductory speech of the Solicitor 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, before he fired, made the case not one of justifiable homicide, but of manslaughter.

The Jury retired for a few minutes to consider their verdict and on their return pronounced the prisoner not guilty.

The court was crowded to excess during this trial, and the finding of the Jury was received with evident general satisfaction.

Counsel for prisoner, Mr. Purefoy; attorney, Mr. G. R. Nicholls.

Barney McCadden, was indicted for killing with intent to steal the carcasses of one bullock and one cow, the property of Thomas Holmes, at Williams River, on the 17th October, 1858.

The evidence in this case was nearly the same as in that of Henrietty, convicted of a similar offence on Wednesday, and therefore unnecessary to repeat. The prisoner was found guilty, and sentenced 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 condition, and heavy showers were ever 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 House.

Prison Accommodation.—Such are the wretched accommodations provided for prisoners in this town, that there are no separate cells allotted for those unfortunate men on whom the last sentence of the law has been passed. When the just 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.

An inquest was held last week at the house of Mrs. Carter, near the river, on

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 made 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.

MACINTYRE RIVER.

OUTRAGES BY THE BLACKS.

The following letter describes a series of outrages committed by the Blacks of the Macintyre River, on the property of settlers 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 herd 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 atrocities 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 hut for their own safety. They however were driven down the River by the police and Geo. G., uttering the most dreadful shouts. It is most probable, they would that day have attacked the hut, 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 hut; shortly afterwards, 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, but for their contiguity to the Plain, they might have effected; however, the police escaped to our place uninjured. The blacks 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 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 imagine how we are circumcised, afraid even to let our horses leave the hut, where there is scarcely any feed for them, excepting what few weeds we can collect, and they are almost eaten up.

I remain, Sir, your obedient servant,

F. CRAMPON.

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 them.

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 2 females; 3 males 1 female; fines, 11 males 2 females; bail, 1 male; assignment, 31 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 her band, Passengers—Mr. and Mrs. Warrant, Mr. and Mrs. McDonald, Mr. and Mrs. Hyades, Mr. and Mrs. Wheeler, Mr. and Mrs. Boyd, Miss Boyd, Miss Milner, Miss Wheeler, Mr. Hampden, Mr. Chenery, Mr. Jeffrey, Mr. Patrick, Mr. McDonald, Mr. C. Ley, Mr. Griffin, Mr. Nicholls, Mr. Boyd, eight intermediate and twenty-nine steerage.

From Plymouth, March 6th, having left on the 26th October, the barque *Palatine*, Captain Sims, with 200 immigrants; under the superintendence of Mr. John Birwistle. 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 day, 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 McGregor, 21st Fusiliers, Mrs. McGregor and child, Mr. Eichbaum, Commissariat Clerk, 313 rank and file of the 28th, 96th, and 80th regiments, 11 women and nine children.

From Cork, 8th March, having left the 9th of November, the ship *Woodbridge*, Captain Dobsou, with 236 immigrants, under the superintendence of Mr. John Churchhill. Passengers—Miss Howard, Mr. Morey, Mr. and Mrs. Gordon, Mr. and Mrs. Morris, and Mr. Egan.

ORIGINAL POETRY.

THE MONSTROUS BOY.

AIR—'The minstrel boy to the wars is gone.'
1. The monstrous boy to the Plains* is gone,
On the Gwyder's banks you'll find him;

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.

insubordination if injudiciously treated, but they are active and capable of performing a great deal of work, and are never at a loss for expedients when any thing goes wrong.

CROWN LANDS.

We, in common with every other inhabitant of the colony, were greatly surprised and disappointed to learn, on the promulgation of the new land regulations, that, contrary to the general expectations, the price of country sections was still to be maintained at a rate so high as twelve shillings per acre.

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 of augmenting the revenue derived from its territory (which seems to have been the intention in affixing the present rate), has diminished, and will still further lessen, its amount.

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 territories of the Canadas, where the soil is composed of the richest vegetable earth—land is freely disposed of at five shillings per acre.

with that where the soil is rich in every variety of agricultural produce, and rendered accessible by majestic rivers. This is easily proved by the relative price such lands bear in the old European countries; and yet, in defiance of this plain and obvious truth, established by common sense and immemorial experience, the government, in so far as respects this colony, have acted on a diametrically opposite principle.

This then is another grievous evil under which the colony labours, and which if it is necessary to remedy if possible. The price of crown land must be considerably reduced, and greater latitude allowed in selecting it.

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 cumbersome machinery must be put in motion before even the least political error can be corrected.

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 ago lost the reputation and weight it possessed as a journal, when under more able management.

his books with a message that he had declined acting for them in that capacity any longer, and had paid over all moneys he had received on their account, and then leave Sydney without any further intimation, whether they would call that a settlement of accounts or not?

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 indentured 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, that no bench, upon the evidence I could have adduced, can do less than give them back to me again.

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

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.

RETAIL PRICE CURRENT.

Table listing various goods and their prices in pounds, shillings, and pence. Includes items like Ale, Beer, Butter, Bricks, Flour, Grain, Hops, Limes, Milk, Potatoes, Sugar, Tea, Tobacco, Timber, and various oils and spirits.

TERMS.

SUBSCRIPTION—Ten shillings per quarter: single number, one shilling. The quarters terminate the 31st March, 30th June, 30th September, and 31st December, respectively.

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.

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