PREME COURT-CRIMINAL SIDE. His Honor took his seat at twelve

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Flock. in the case of the Queen v. Welsh. thered judgment :- It is an applicathe record. After disposing of several the arguments as untenable, His Honor oncluded as follows :- It is admitted on oth Ides and laid down by the court in the case of the King v. Perrot by Lord Elenborough, that the same sylictness a required in indictments for obtaining money under false pretences as is redging it is not enough to use the word tabely without going on by averment of on express and apt averment to negative the truth of the pretence is equally wal. Deeming then that the falsificait should have been, to the particular thing to be falsified, and that as in the of perjury the averment should raw the de'endant's attention so spec fially and clearly, and in terms free from mbiguity to the pretence, the tru'h of hich it proposed to negative; and hat it has here lailed to do so I consider he detendant is entitled to have 'udgment arrested, and the court accordingly

William Stevenson, indicted for horse traling, was then brought up for judg. ment, and sentenced to be transported

directs that judgment be arrested.

for the period of ten years.

Peter Stratton, being then placed in the dock. was asked by the clerk of arraigns what he had to say why senunce of death should not be passed upon him, replied that it was the first occursence of his appearing in any court of The crier then having prolaimed that the sentence of death was bout being passed, the Judge in a most selemp and impressive tone pronounced

the last sentence of the law upon him in the following words :-Peter Stratton, you have been tried and found guilty on an information, in which you are charged with shooting at. and wounding, with intent to murder. William Holmes, For this off-nce the law has provided and ordained a capital quaishment. I have anxiously conidered your case with a view, and with . desire to avoid (it consistently with the painful duty of passing sentence of death upon you. I cannot, however, discover one leasure in the whole of the vidence given against ou that retrieves your conduct from that of deep and unnitigated atrocity. The circumstances of your case are shortly these. On the moining of the 24th March, 1844, after having slept and been received with hospitable kindness at the hut of William Holmes, you proceed on your pretext that you wanted to go a different way for not accompanying Holmes and Buchanan, who were about to proceed to Melbourne on the same day. Their last act at your parting was one of kindeess towards you: they baked a damper for the journey and shared it with you. In a few hours after your departure, they proceeded on their journey, and had advanced on'y two or three miles on their way when you, and your confederate in guilt. Abbot, prang from behind a dead tree ly ng along side the road. You were both armed Abbot with a pistol, and you with a carbine and pistol. Having called our to them 'come on. my lads, we are waiting for you," Abbot, you acting in concert with him, took from Buchanan the cloque which, by your calling "we want that chique of yours," it was man'est you were aware he had in his rossession. Having thus robbed him of his cheque, the wages of his honest la bor, which he had only received a day or two before from his master. Mr Burchett, you and Abbot both said, "that will do." But that was but a vain a surance. for you forthwith pro-ceeded to tie them together, having pinioned their arms behind their backs with cords which abbot took out o tied up their dogs to a tree, in order, as you said, that they might not follow you, one might suppose you at least would then have left them, satisfied with the robbery that had been perpetrated, and rendered them unable to pursue you, though they were disposed to do so; and to which they had unresistingly submitted. But no such thing. Whilst those men were thus tied to-gether, you, Peter Stratton, having placed your pistel in your belt, and taking your carbine in both hands, which you litted up to your eye, and with which you took deliberate aim for s quarter of a minute, at the same time saying, "I have only one more word to say to you," you fired at William Holmes,

and lodged two bullets in his left breast.

Nor was this all. Finding that he did

not fall, but that sufficient strength re-

mained in him to burst the cords by

which he was tied, you drew your pistol from your belt, and taking aim again at

his head, fired again, fortunately with-out effect, whilst he was to the act of runing away, or as his comrade, Buchanau, described it, whilst he was

staggering from the shock of the first wound you had inflicted. He then ran until by loss of blood he was exhausted.

The balls were subsequently extracted,

one in a few days atterwards, and the other, on account of the nature of the

quantly. I forbear now to notice the part taken in this cruel transaction by

your guilty companion, Abbot; bu-

nary instinct of humanity, that I cannot without a wilful contravention of the duty, pass upon you any sentence but that of death, which the law orderns for that offence. It is a fearful thing to die, and it is a most painful thing for man to pass upon his fellow man the sentence of death, and to pass it under circumstances such as it devolves upon me to pronounce it, for I can hold out no hole to you that your life will be spared. I pass this sentence because I em constrained to pass it and because if I abstained from doing so, my forbearance from pronouncing it would in effect be to announce to this whole community that any member of it may be, and I trust there is not one in it capable of such atrocky) with a certain prospect of immunity and exemphas appointed and provided for the crime. Time will be afforded you to prepare for a future world, towards which I implore you to turn your thoughts and feelings for the short period that it may be permitted you to live in this. The whole of your case will be submitted and laid before the Governor and Executive Council of this colony, and it is to me a matter of unatfected and poignant sorrow, that in submitting it I cannot point out one redeeming feature-at any slight circum-stance of mercy shown by you throughout the trausa tion, or any other mitigatory trait whatever that would enable me, in the exercise of an honest discretion, to recommend that your life should be spared. Therefore I again implore you to employ the short space of time that it is probable will intervene before you close your mortal career, in taking such advice and consolation from the minister of religion, and in invoking the forgiveness and aid of that Almighty Power who delights in no attribute of his mercy more than in extending mercy to those who ask it in an humble and contrite spirit. The sentence of the Stratton, on a day to be named by his Excellency the Governor, be taken to the place of execution, and there be hanged by the neck till your body be dead. May the Lord in his infinite goodness, have mercy on your soul.

The prisoner, upon whom the awful sentence of the law appeared to make very little impression, was then removed from the dock.

His Honor then addressing Mr Croke, said, there were three more names on the calendar, and he wished to know

how they were to be disposed of?
Mr Croke replied, that in the case of John Reeves, for perjury, his trial awaited the issue of a civil proceeding, and until that terminated he could do nothing with him. Dempsey's trial stood postponed until next session; and as to Koot Kirrup, the aboriginal, the only difficulty in that case was the procuring of an interpreter. He received a letter from Mr Robinson enclosing an extract from another of Dr Whatton's, stating that he was prevented attending the trial this session, and if he had come that he could be of no avail, being quite unacquainted with the Smokey River natives.

His Honor said that it should be so arranged that this native, who was so long in confinement, should come on next sessions, for which reason he would name a day in the latter end of next month; and he expected then that there would be no obstacle in the way of the trial.

The court was then adjourned sine die.

THE REGISTRY OFFICE. (From the Sydney Herald.)

Our readers are aware that the Legislative Council during the discussion of the estimates last year, passed a resolution that the salary of Mr Carter, the Registrar ought to be defrayed from schedule A, to which the Governor objected, and on the Appropriation Bill being sent up for the Royal Assent, returned it with a mes-age proposing the addition of a sum to meet the expenses of the Registrar's department; when this vote was proposed by the Colonial Secretary. Mr Wentworth opposed it, and the Government not being able to muster a quorum, the house was broken

The Government then gave notice to Mr Carter that there would be no funds to continue the office after the end of the year, but knowing the great disadvantage that would accrue to the public if the office was closed, Mr Carter resolved to keep it open at his own expense until the Council met again, in the hope that in the interim means might be devised for the payment of the expenses of the office, which are about £30 a month. The office has therefore been kept open by Mr Carter to the present time; but not being a wealthy man, we tear he will not be able to do so much longer, and at the end of the present month the office will be closed.

The suspension of the Registration Office will be a source of great public inconvenience; it will at least double the expense of conveyancing, for instead of referring to an office to see whether a property is encumbered, it will be ne-cessary to search through the whole of the titles from the first alienation of the lands from the crown to the present time. We may perhaps be told that there are Registry Offices in England in the ounties only; but we canuot see that we are bound by defects in the Bnglish mode of administering the law ; no one who has any knowledge on the subject can deny that a Registry Office is an exexhibits such cold-blooded cruelty, and can deny that a Registry Off displays a mind so devoid of the ordio tremely useful institutions,

But there are local laws which render a Registry Office more especially neces-sary. In the session of 1843, Mr Wentworth introduced and passed through the Council a bill for enabling parties to mortgage cattle, and one for granting liens on wool. These Acts came into force in October, 1843, and their effect entirely depends upon an accurate register of the mortgages and liebs being kept. These Acts have been found to act most beneficially, and are the most useful measures which have emanated from the Council. By a memorandum with which we have been favoured, it appears that opwards of half a million of money had been advanced under these acts up to the end of December, 1844, viz :-

Mortgages on Stock... £358.622 11 Liens on Wool 148,972 0

£507,594 11 8

The benefit that these loans have been to the colony is almost beyond calcu lation, for not only would the majority of the parties have been rained if they had not been able to obtain these loans; but the greater perties of the stock would have been forced into a market already depreciated to an alarming

Already has the registry of liens on the next clip of wool commenced, and although the increase of the price has enabled many parties to pay off last y ar's liens entirely, and to do without advances, many were so much involved that a further loam is necessary; but after this week they will be unable to obtain it; for there will be no means of registering the lien, and the parties will in fact be unable to obtain security for the repayment. Anything more calcu-lated to check the returning prosperity of the colony than putting an end to these loans can hardly be imagined.

There is another reason why the Rewhich we should have thought w uld have had great weight with the Governor: it is a source of revenue. year the expenses were under £1000. and the fees upwards of \$1500, leaving upwards of £500 towards the suppor of the Government, which in these hard times is no small amount.

The question is not now whether the

Governor or the Legislative Council be right; we expressed our opinion very strongly at the time that the Council ought to provide for this department, that on no abstract question respecting the power of the Council over the schedules ought they to run the risk of closing the Registry Office. The weland it is necessary for the welfare of the people that the Registry Office should be k pt open. The question however now is, can the Governor find means to pay the expenses? If he can it is clearly his Boeilency's duty to do so. We understand that his Excellency says that the responsibility of closing the office will not be on his shoulders; but if his Excellency has the means of keeping it open, and does not use those means, the responsibility will rest on him; and it ought to do so. The Legislative Council having done wrong, is no reason why the Governor should do wrong also.

The interest of the debentures now out is a primary charge upon the territorial and casual revenue; but as the revenue exceeds what is required for that purpose, there can be no service to which the balance can be more legitima ely applied than the maintenance of the Registry Office, and out of this fund we think the Governor might maintain the office. Under any circumstances, we trust that if there are say means whatever for carrying it on, the office may not be closed, simply because His Bx cellency the Governor thinks that he will not be responsible for any mischief

As parties more conversant with the details of the matter than the public generally, a memorial from the Law rociety praying the Governor to keep the office open migh have some effect.

THE GUANO TRADE .- We stated, some weeks since, that there would not be sufficient guano on Ichaboe to load the ships sent out. This assertion is fully confirmed by the recent accounts. There were, when the last advices left the island, 120 ships there ; and it was belived that many of them would not obtain full cargoes. It is satisfactory, however, to find, that as the article disappears from Ichaboe, discoveries of ters. Thus a few months ago, Captain M Lachlin, of the barque Hope, one of Messrs Roderick, M'Leod, and C.'s vessels, fell in with a large deposit of guano in Shearwater Bay, on the south west coast of Africa. He reported the circumstance on his arrival at Ichaboe, and 15 vessels were loading there when the last accounts left the island. variety of contradictory reports are still in circulation respecting the quantity and quality of the guano on Mercury Island. At first we merely heard of small patches being found; then a whole valley, pretty well filled up, was reported; and, now, we hear from parties who have seen both ichaboe and Mer-cury, that the latter is likely to yield as rich a harvest so the former. We have a sample of the Mercury guano lying before us, which appears of a quality fully equal to that from Ichaboe. o tact, we find its rich ammoniaval elfluvia so penetrating that we are at this moment ordering it to be taken out of our oifactory range. One thing is certain, that the news from Mercury Island is sufficiently encouraging for the

sesson; and vessels are still loading, with wheelbarrows, bags, pickaxes, and spades, for Africa; though the latest information shows, that, even now, there rides, on the western coast, a large mercantile navy .- Liverpool Albion.

GALLANT CONDUCT OF A BRITISH OF FICER. -On the 12 h of August, lat 15. S. lon. 11. 30. E., when off Fish-Bay, Mr John F. Tottenham, mate of her Majesty's ship Hyacinth was sent in a four-oared gig, with one spare hand, to communicate with the Partuguese governor. The weather having become thick, he missed the port, and being unacquainted with the coast, anchored for the night. On the following morning he pulled again to the southward, and, about moon discovering a suspicious-looking brig without colours, slip and make sail, he gave chase. There being but lit le wind, and the bled to get within musket shot of her, and fired wide of her to induce her to show her olours. This however, was disregarded; and the officer observing them trim up a post and run a gun out, pulled in her wake. Some of the brig's crew immediately commenced firing masketry, whilst the others got the gun on the poop and pointed it at the boat. Mr Tottenham upon this fired as fast as the space ness and precision (as was afterwards proved) that almost every builet expended was traced to the gon-carriage or its immediate vicinity. Four of the crew having been wounded, to avoid being boarded they run the brig on shore and abandoned her-to the number of 18-leaving one man behind, who soon after died of his wounds. Mr Tottenham immediately took possession of the brig, which proved to be to be a fine vessel of 200 tons, and fully equipped for carrying 1000 slaves. Her decks were strewed with muskets, swords and bayone's, a barrel of gunpowder, and a quantity of ball carridges, besides two four pounders, loaded. In the course of the afternoon she was discovered from the mast-head of the Hyacinth, which stood in and hove her off. The astonishment of Captain Scott and his crew at finding so large a vessal captured by this four-oared gig, may be easily con

AMERICAN BATERPRISE. -The flour ishing vittiage of Sandwich, Massachu setts, located upon a sandy desert which produces lutle else than course grass, ye, and some vegetables, contains the most celebrated glass manufactories in the Union. The food of the inhabitants is brought from a distance of several hun dred miles ; the sand for manufacture of the glass comes from Morris River, Pennsylvania, a distance of 500 miles ; the coal to heat the furnace, from ginia, 700 miles distant ; the lead is brought 140 miles, from the nothern part of Massachusetts; the paper for packing he glass is obtained in Boston, and the straw in the State of New York. The men and boys work six hours, in sets, from Monday morning until Thursday night. On Friday, Satu day, and Sunday the fires are bown out. Boys earn three dollars per week, and the men from twelve to fifteen dollars; fancy cutters more. The works furnish a livelihood to two thousand persons. One-

LINES WRITTEN FOR THE GEELONG ADVERTISER.

I left my wild and distant home, For fair Corio Bay-And thought it far for one to roam To seek the free and gay. I saw the little peaceful town Laved by the Southern Sea-And there was many a noble youth Of high and great degree.

I joined the train of mounted squires Who sped the bush along ; They sought the sport, loved by their sires, Extelled in English song. I saw their prancing chargers wait Impatient of delay, They start, their nostrils wide dilate -Away, away, away !

And now they speed along the vale, Where once the savage strayed; The victor smiles-the concourse quil-The conquered look dismayed. And the then fairest part of all Creation's work was there; They grace the course, adorn the ball, They charm us everywhere.

Aud there the British matron shone, With bright but modest ray . But young and rate ones whither gone On Geelong's proudest day ! I hied me to the dance at eve, To seek the young and fair-To view their fancy footsteps weave A ussue light as air-I saw some belles amid the throng,

And matrons bright with glee : The fairest flowret of Geelong-Ah tell me where was she ! Adieu, then, to the Bachelor's fate! Corio Bay adien ! My steed is here, I must not wait, I take my parting view.

AN OUTLANDISH SETTLER.

Melbourne Races.

TuE Steamer AP it RASIA
will steet from Geelong on
Wednesday next at day-light, to the accommodation of parties wishing to attend the Melbourne Races,

green by lavarie and hy ear

HENRY LAWLER. Comamader-March 22, 1846.

£2 REWARD.

LOST .- One Light Bay Mare, 15 hands high, with a foal by her side about fifteen months old. The mare is branded on the near shoulder S P, and A eather over or under, and the toal is branded

A on the near shoulder. Also, a Bay Colt, black points, two years old, branded the same as the above

The said Horses were formerly the property of Messes Smythe and Prentice, and may be running in their neigh-

Any person giving such information as will lead to their recovery, will receive a reward of £2. JAMES AUSTIN.

Geelong, March 5, 1815.

One Pound Reward.

STRAYED from Corio, 12th January, a Bay Mare, star on forehead, near hind fetlock white, saddle marks, short switchd tail, branded Dy near shoulder, DAC under mane.

Mr O'Farrell's Auction Room will inceive the above reward.

LOST,

ROM the Bushy Greek, between the Hopkins and Mount Rouse, a dark Brown Horse, with a short whisk tail, rear hied foot white, branded on the near shoulder MW, bald face, balf white muzzle. RB

Any person who will give such information as will lead to the recovery of the said horse to Philip Black, Esq., Mount Emu, will receive a reward of One I ound.

MPOUNDED on the 1st March, 1845, at the South Gerlong Pound-One Red Cow and Calf, branded U near

ribs, II off rump, and illegible brand on off thigh One Red Steer, white back, belly and tail, branded H off mmp
One Red and White Heifer and Calf.

white back, belly, and tail. W near ribs, B off ribs, H off ramp One Red and White Heiler, white back,

belly, and tait, white mark on forehead, H off rump One Red and White Cow, O near shouls

der, U near ribs, H off rump, and H near rump One Red Heifer, blind near eye white,

helly and white spot on back, il egible brand near shoulder.

If not claimed and released on or before the 25th instant, will be sold. PERCIVAL GRAHAM, Poundkeeper.

STRAYED.

FROM the Farm of the undersigned. Barrarbool Hills a light Bay Forester FILLY, two years old, branded JW under the mane.

A Bay Clydesdale Cour, white face and hind pasterns white, one year old, branded J W on the near shoulder.

A Reward of One Pound for each of the above described, will be paid to any party bringing them to the Farm, or giving information where they are to be lound.

J. WILLIAMSON. Geeloug, March 6, 1845.

Copper Plate and Lithographic Printing, Engraving, &c.

THE undersigned has completed at rangements for the execution of orders for the engraving and printing of Wedding, Visiting, and Business Cards, Bill-heads, Notes, Drafts, Orders, &c.— Specimens of which may be seen at the

Door and Window Placts, (white metal or brass,) cut with any letters; metal seals with cyphers and ornaments of every description for private persons. societies, or public bodies ; maps, charts. plans, views engraved or lithographed in a style unequalled in the colonies. J. HARRISON.

Wanted a Situation,

BY a Young man who has had con a siderable colonial experience in the management of stock of all kinds. Having been very successful in the treatment of diseased sheep, he will undertake to clean any flock, leaving the payment conditional upon his successful. cess. Having had a good eduration he has no objection to a situation is town as a clerk, or in Bay similar eapacity. Unexceptionable reference and testis monials can be given, Apply to P. W. at the office of this paper.

BOARD AND LODGING.

SHEPPARD begs to Inform the . Settlers of the sucrounding Dis trict, and gentlemen and families from Melbourne, that he has opened those spaceous premises adjoining Mr Woolley's store, as a respectable Board and Lodging House, and trusts by strict attention to comfort, and moderate charges, to merit a share of public pas tronage.

Victoria House, Feb. 7, 1845,