

should be selected, and the salary which the Judges recommended was not 800*l.* He should therefore second the amendment for 650*l.*

Mr. Foster supported the amendment, for the same reasons which had been urged by the honourable member for Durham.

The Colonial Secretary explained, that honourable members who conceived the salary of the Prothonotary to have been increased from 650*l.* to 800*l.* by the local Government were labouring under a mistake. The salary fixed upon by the Judges, on recommending the appointment of such an officer, was 800*l.*; but the Governor thought that an efficient person could be procured for 650*l.*, and accordingly named that sum in his communication to the Home Government. The Secretary of State, however, agreed with Mr. Gregory, the gentleman at present holding the office, at the salary of 800*l.*, and in his despatch upon the subject to the Governor stated, that he was unable to procure any person competent to perform the duties for a less sum. The reason that 800*l.*, was not placed on the Estimates as printed instead of 650*l.*, was because the despatch in question had not been received until after the printing of those Estimates; and in the absence of further information, his Excellency naturally introduced the amount which he had himself proposed in the first instance.

Mr. Wentworth did not consider that a reduction in the salary of this officer could be regarded as any breach on the part of the Colony: for the amount of that salary, as agreed upon by Lord Stanley, had been determined without the slightest degree consulting the wishes or convenience of the Colonists. It was impossible to believe that competent professional men could not have been procured to undertake the duties of this office at the salary fixed by his Excellency, if Lord Stanley had taken the trouble to look for them; but the members of all Governments, whether Tory, Whig, or Radical, had at all times party interests to serve, and party services to reward; and the present Prothonotary probably owed his appointment to some services which he had rendered the present Tory Government.

Mr. Windeyer contended that as Lord Stanley had upon his own responsibility, appointed the Prothonotary at a higher salary than was fixed by the Colonial Government, the latter officer would have a claim upon his Lordship for compensation.

The Attorney-General opposed the amendment, and contended that a person thoroughly competent for performing the duties of so important an office, was not likely to be procured even in England for a less sum than that fixed upon by the Secretary of State.

Doctor Nicholson considered the opinions expressed by the honourable member for Sydney unanswerable, and should therefore vote for the amendment. The general aspect of things in England must have been very much changed since his residence there, if competent professional men could not have been procured to fill this office even at a less salary than 650*l.* That salary was as much, in his opinion, as could in justice be attached to such an office, unless by giving it an unfair precedence over other Government offices. The salary of the Auditor-General, for instance, was only 650*l.*, and apart from the long and meritorious services of that officer,

his situation was one of very great importance.

After some further conversation the House divided on the amendment, with the following result:—For the amendment, 15; against it, 5; majority for the amendment, 10.

The Colonial Secretary then moved that the sum of 400 might be voted as the salary of the Chief Clerk.

Mr. Wentworth said, that in the correspondence of the Judges it was suggested to appoint the Prothonotary in lieu of the Chief Clerk; and under this arrangement the latter might have been altogether dispensed with. The present Chief Clerk, however, was a very old and tried servant of the public, and if he was at all competent for the duties of a Prothonotary, he certainly possessed a good claim to that office. If, on the other hand, he was not exactly competent for the performance of these duties, his long service entitled him to a very favourable consideration. It could not be denied, however, that his duties were materially lightened by the appointment of the present Prothonotary, and it was fair that his salary should be somewhat reduced on that account. He should therefore move as an amendment that the Chief Clerk's salary might be reduced to 350*l.*, and he did so with the less reluctance from the knowledge that this gentleman held another office—that of Marshall of the Vice-Admiralty Court—which was yielding him a considerable income.

The Colonial Secretary explained, that the Judges had recommended an amalgamation of the offices of Prothonotary and Chief Clerk, on the understanding that a Registrar should be also appointed: but Lord Stanley had combined this latter office with that of the Prothonotary, and thus it became necessary to continue the Clerk; for if this was not done, the strength of the department would have been less than it was ten years hence, when the Supreme Court did not possess one-fifth of the present business. By a return which had been prepared, he found that the fees of the Chief Clerk, as Marshal of the Court of Vice-Admiralty, averaged about 82*l.* a year. There had been one case of recent occurrence, in which he had received fees to as high an amount as 114*l.*, but those in the general run of cases average at from 1*l.* 6*s.* to 1*l.* 10*s.*

After some further discussion, the amendment was put and carried.

The Colonial Secretary then moved the following salaries for five clerks in the Supreme Court Office, namely: 250*l.* for the First Clerk, 200*l.* for the Second Clerk, 180*l.* for the Third Clerk, 160*l.* for the Fourth Clerk, and 150*l.* for the Fifth Clerk—total, 940*l.* This was a reduction upon the sum mentioned in the Estimate, and had been made at the suggestion of their Honors the Judges. The original salaries of the clerks were 350*l.*, 200*l.*, 184*l.*, and 155*l.* respectively.

Mr. Wentworth considered, after the evidence as to the salaries receivable in private offices by competent clerks which had been given to the Committee, they would not be justified in retaining such high salaries for these gentlemen, more especially as they possessed the advantage of qualifying themselves for the practice of a very lucrative profession.

Mr. Windeyer suggested that the sum of 725*l.* might be voted in the gross, to be

divided as follows: namely, 200*l.* for the First Clerk, 150*l.* for the Second Clerk, 150*l.* also for the Third Clerk, 125*l.* for the Fourth Clerk, and 100*l.* for the Fifth Clerk.

Mr. Wentworth said, that he concurred in this suggestion, and would move it as an amendment upon the proposition of the Colonial Secretary.

After some further discussion this amendment was put and carried, there being fourteen for it, and four against it.

The Item for an assistant clerk at 4*s.* per diem was struck out upon the motion of the Colonial Secretary.

The following items were voted—

|  | £   | s. | d. |
|--|-----|----|----|
| Crier of the Court, at 4 <i>s.</i> per diem, extra Crier and Court-keeper, at 3 <i>s.</i> 3 <i>d.</i> per diem ... | 132 | 13 | 6  |
| Messenger, at 2 <i>s.</i> 10 <i>d.</i> per diem  | 51  | 17 | 6  |
| PORT PHILLIP.  |     |    |    |
| Deputy Registrar .....   | 450 | 0  | 0  |
| Assistant Clerk, at 6 <i>s.</i> per diem   | 109 | 16 | 0  |
| Incidental expenses .....  | 20  | 0  | 0  |

The salaries of the two clerks to the Deputy Registrar were reduced from 240*l.* and 155*l.* per annum, to 200*l.* and 125*l.* respectively, upon the motion of Mr. Wentworth, without any discussion of importance. The Colonial Secretary then proposed the sum of 1000*l.* as the salary for the Sheriff, which was voted without discussion.

On the motion of Mr. Wentworth, Mr. Young, the Sheriff, was called in and examined as to the details of his department, after which the 200*l.* was voted for the salary of the Under Sheriff.

The Estimates for the salaries of clerks for the Sheriff's Department were reduced from 177*l.* and 172*l.* to 170*l.*, and 155*l.*, and carried without remark.

The sum of 109*l.* 16*s.* was voted for an assistant clerk.

The Estimate of 1205*l.* for salaries for 10 Bailiffs, was reduced to 100*l.*

The sum of 32*l.* 0*s.* 6*d.* was voted for messenger to the Sheriff.

The sum of 200*l.* was voted for travelling expenses for the Sheriff and Under-Sheriff.

The item for allowances to bailiffs for summoning jurors was allowed to stand over for further information.

The sum of 400*l.* was voted for the salary of the Deputy Sheriff at Port Phillip; 143*l.* for the Clerk, and 600*l.* for bailiffs, at 100*l.* each, one at Melbourne, one at Geelong, and one at Williams' Town; 12*l.* 4*s.* for messenger to the Deputy Sheriff; also, 72*l.* for travelling expenses, rent, and incidental expenses.

#### FRIDAY.

Mr. Windeyer presented a petition from certain Distillers, Merchants, and Traders of Sydney, against the abolition of Distillation.

Petition read and received.

Doctor Nicholson presented the report of the Port Essington Route committee.

Report received.

Mr. Bowman moved for leave to bring in a Bill to separate Campbell Town and Appin from Camden, Narellan and Picton, and to appoint a District Council for each—Leave granted—The Bill read a first time, and ordered to be presented and read a second time on Thursday.

The House resolved itself into a Committee for the further consideration of the Estimates.

The Colonial Secretary brought forward the item of 137*l.* for travelling expenses for the Sheriff's Bailiffs.

Mr. Vanctt, of the Sheriff's department was examined at length, on the appropriation of the Estimate for this purpose, after which

The Colonial Secretary moved that the Estimate be reduced from 137*l.* to 101*l.*—Carried.

The Colonial Secretary moved that the Estimate for allowances to witnesses for travelling and attendance be reduced from 1760*l.* to 1320*l.*—Carried.

The sum of 920*l.* was voted for allowances for jurors.

The sum of 187*l.* 10*s.* was voted for allowances to witnesses at Port Phillip.

The sum of 60*l.* was voted for allowances to jurors at Port Phillip.

The next item brought forward was the sum of 1000*l.* for the Commissioner of the Court of Requests.

Mr. Wentworth said, he understood his honourable and learned friend the member for Camden would be content with his former salary and his former labour. Now he did apprehend that no individual, whatever were his capabilities, would give satisfaction in cases of the extent of 30*l.* He thought it would be preferable to establish, early in next session, a summary jurisdiction in the Supreme Court extending to 50*l.* cases, with fees fixed by law. He thought still that the offices of Commissioner of the Court of Requests and Chairman of Quarter Sessions should be united, but until this was done he should oppose the advance of 200*l.* upon the Commissioner's salary.

Mr. Bowman said, the Act extending the jurisdiction of the Court of Requests to 30*l.* was hailed as a blessing throughout the Colony, and he did not consider the salary of 1000*l.* at all too much, particularly considering the great legal ability and experience of the gentleman who filled the office.

Mr. Therry said he would decline voting on the present motion, he was quite content to be confined to his present salary and his present duties: he would, however, mention that the act extending the jurisdiction of his court was drawn up in accordance with the petition of 500 respectable persons engaged in business, and if that act was to be called into operation, he could not agree with the honourable and learned member for Sydney that the salary which he received thirteen years ago, when the labour was comparatively light, would be sufficient with the present population and an extended jurisdiction.

Doctor Nicholson said he would cheerfully vote for the sum on the Estimates, and for this reason, that the extension of the jurisdiction of the court would save immense sums to the public which were now extorted from them by attorneys. Besides the enforcement of the act was most earnestly desired by all classes in the community, with the exception of some legal gentlemen.

Doctor Lang bore testimony to the satisfactory manner in which the decisions of the Commissioner of the Court of Requests were received by the public; and he believed this was one of the reasons that had induced the public to petition for the extension of its jurisdiction to 30*l.* in order that they might obtain cheap law and speedy justice.

Mr. Windeyer said, the honourable member for Camden had contrived to make a

good case by mixing up with it matters with which it had nothing to do, and appealing to the prejudices of honourable members against those birds of prey, the lawyers. It was quite as possible to avoid law expenses in the Supreme Court as in the Court of Requests. It was not necessary to pay those high fees to lawyers which were complained of. It was a mistake to suppose that this new Act would put a stop to litigation—on the contrary, it would increase it tenfold. He had no doubt that while the honourable and learned member presided in that court, the Act would work successfully; but they were not to legislate upon that supposition. He knew that his friend had a judicial mind in cases in which he was not concerned himself; but they had to look to the future, and had only to decide at present what they could get a competent person to perform the duties for. He thought the jurisdiction should be continued at 10*l.*, and the salary at 800*l.* as before.

Mr. Berry considered the new Act a very great improvement in legislation, and that it would do an immense deal of good. He felt bound to vote for the Estimate. He did not wonder that the lawyers were against the extended jurisdiction. Some of them were great radicals, but he never saw any of them so radical as to wish for an empty court, and an abridgment of their own fees.

Mr. Panton gave it as his opinion that the jurisdiction of the court should be immediately extended, and that in that case the salary of the Commissioner would not be too high at 1000*l.*

The Attorney General entirely agreed with preceding speakers that the advantages from the proposed jurisdiction would be very great, as the expenses in cases of small amounts were at present at the least as much as the amount sued for. He thought also that other jurisdictions might with advantage be added to those contained in the act; such as legacies, and cases of replevin. With respect to the salary it was fixed by his Majesty in 1828, at 800*l.* and guaranteed by Act of Parliament, and he thought with the increase of duty the Council was making a hard and a good bargain for the public in fixing it now at 1000*l.*

The House divided upon the motion when there appeared

Ayes ..... 20  
Noes ..... 4

Majority for the increased salary 16

The Colonial Secretary moved for the sum of 400*l.* for the salary of first Registrar of the Court of Requests.

Mr. Windeyer thought the salary of the Registrar should remain at its present amount, namely 330*l.*, instead of 400*l.*, as in the Estimates. The second police magistrate, who was a judge, and had as much money passing through his hands as the Registrar, had only 400*l.*

Mr. Therry said the duties were extremely different. The duties of the Registrar were exceedingly onerous—he was obliged to give very high security—he had held the situation since the commencement of the Court, and he had never heard a single complaint against him.

The Auditor-General and Mr. Foster bore testimony to the Registrar's accuracy.

Mr. Windeyer said he would alter his amendment to 350*l.*

The House divided upon this amendment, when there were—

Ayes ..... 19  
Noes ..... 8

Majority ..... 11

The sum of 590*l.* was voted for the salaries of additional registrars, two at 80*l.*, and four at 30*l.* each.

The sum of 325*l.* for two clerks for the Court of Requests.

The sum of 440*l.* was voted for nine bailiffs for the Court of Requests, being a reduction of 25*l.* on the estimate.

The sum of 32*l.* was voted for a messenger.

The Colonial Secretary moved the sum of 200*l.* for the travelling expenses of the Commissioner.

Mr. Windeyer opposed the vote as it would be equivalent to an increase of 400*l.* on the salary of the Commissioner.

Mr. Therry said it would be no addition to his salary, as it would only be expended in proportion to the number of days he was absent.

Mr. Wentworth said, as they had given the Commissioner 200*l.* a year more than formerly, he could not see how any member could vote for 200*l.* more.

Mr. Bowman supported the Estimate.

Mr. Walker had not been able to discover any ground either for the increase of the salary or this other addition.

The Attorney-General said, if the Commissioner was deprived of his travelling expenses, the 200*l.* would be no addition at all. With his increased jurisdiction, the Commissioner would be compelled entirely to abandon his profession, and he would ask would the honourable member for Durham himself, or even any of the junior members of the bar, consent to give up their practice for such a sum.

Mr. Panton supported the original motion.

Doctor Lang opposed it.

The House then divided, when there were—

For the original motion ..... 11  
Against it ..... 11

The Chairman gave the casting vote against the motion, on the ground that it was a parliamentary usage that in all cases of equality, where there was question of an additional burthen upon the public, the Chairman should give his vote in the negative.

The estimate was accordingly struck out.

The sum of 80*l.* was voted for postage and incidental expenses of the Court of Requests for the County of Cumberland.

The estimate of 830*l.* for the salaries of 15 District Commissioners was postponed.

Mr. Ebdon said he wished the House would suggest an increase in the salary of the Commissioner of the Court of Requests for Port Phillip, whose duties were much more onerous than those of any other Commissioner save the Commissioner for the County of Cumberland. The Commissioner was a Barrister, and his salary was but 100*l.* He proposed that it should be increased to at least 250*l.*

The Attorney-General supported this suggestion; he thought the salary quite inadequate to the increased duties of the office.

The Colonial Secretary moved for 100*l.* for the Coroner of Sydney. It appeared on looking at the number of inquests, that the Coroner received about £130 in the

shape of fees; and the Committee having divided, there were—

For the motion ..... 6  
Against it ..... 12

Majority against the motion, 6

The item was therefore struck out.

The sum of 49*l.* was voted for each of the six other coroners.

The item for the salary of the Clerk of the Coroner at Sydney was postponed.

The sum of 500*l.* was voted for stationery for the judicial establishments.

The House resumed, and the Chairman reported progress and obtained leave to sit on Tuesday next.

The Postage Bill was postponed till Tuesday, and the second reading of the Governor's Salary Bill till Thursday next.

The House then resolved itself into a committee for the consideration of the Governor's Message relative to Waste of Solvent Debtors' Property Bill

The first amendment proposed by his Excellency was unanimously adopted, the second was rejected upon a division, there being—

For the Governor's amendment 4  
Against it ..... 10

Majority ..... 6

The House resumed, and several orders of the day were postponed.

### City Council.

MONDAY.

THE MAYOR IN THE CHAIR.

Alderman Macdermott brought up the Report of the Water Committee, relative to the practicability of laying on the water at the houses of the Citizens. The report recommends that the Town Clerk be ordered to insert an advertisement in the newspapers, calling on the inhabitants along the streets where pipes are already laid, to communicate through him with the Chairman of the Water Committee, if they require the water to be laid on to their premises, and stating whether they would prefer being supplied at the rate of 5*s.* a room, or, at the rate of 1*s.* per tun. Public-house keepers, brewers, keepers of livery stables, and those who require a large supply of water, stating the terms at which they are willing to contract with the City Council for a regular supply of water, it being understood that parties in all cases shall pay the expense of conveying the water to their houses from the main pipe, in addition to the annual payment for the water.

Report received and to be acted upon with the exception of a clause relative to the laying down of three-inch pipes.

Alderman Flood enquired whether the Government contribution to the City fund for the half year had ever been paid to the City Treasurer.

The Mayor replied that it had not. Having been informed through the medium of the Colonial Secretary that a warrant for the payment of the 2,500*l.* alluded to had been drawn out in favour of the City Treasurer, he had sent that officer to receive the money, when the Colonial Treasurer had refused to hand it over until the police expenses for the quarter ending 30th September were paid.

Alderman Flood remarked that the City had

been as handsomely treated by the Government in this as in other particulars.

The Town Clerk read a letter from the Colonial Secretary, enclosing statistical returns relative to the police department, in accordance with a request to that effect made upon the motion of Mr. Taylor upon a former occasion.

Alderman Flood contended that these returns were very far from affording the information which had been called for, and that in order to enable them to investigate the matter so as to produce any permanent benefit to the City, it was absolutely necessary they should receive much fuller information on the subject.

Mr. Thurlow was far from being desirous of imputing to the Magistrates who signed these returns any desire of deceiving the Council by an incorrect statement of the department: for it was probable that they had merely attached their signatures officially to a report prepared by the subordinate officers. There was clearly, however, a suppression of facts somewhere, for although the information rendered might be the truth as far as it went, it was certainly not the whole truth. From the tenor of these returns it would appear that the various officials were only in the receipt of the salaries set against their respective names, but it was a well-known fact that many of these persons were receiving fees to a very large amount. For example, they had upon these returns the Chief Constable, with a vast quantity of alleged duties (many of which, by-the-by, did not appertain to the city), and with apparently the salary of £150 per annum only; but it was a matter of notoriety that this officer received a very large proportion of every fine inflicted by the Bench. The Police department, in short, required a thorough investigation; and in order to enable the Council to effect any substantial benefit by such investigation, it was necessary they should be placed in possession of all the information which could be acquired upon the subject. He would therefore move that a Select Committee, to consist of Aldermen Allen, Broughton and Macdermott, and Councillors Hill, Ryan, Agars, Chapman, Taylor, and himself, might be appointed to consider the return which had been furnished to the Council relative to Police matters, and report thereon.

After a few remarks from Aldermen Allen and Flood.

Alderman Macdermott said he was of opinion, as the Committee proposed was so large, that it would be better to dispose of the matter at once in a Committee of the whole Council, and would move an amendment to that effect.

After some further conversation, Mr. Thurlow withdrew his proposition, and the amendment of Alderman Macdermott having thus become the original motion, was put and carried.

The Mayor laid before the Council a report from the District Surveyor relative to the application of Mr. Charles Smith. The report stated that the fencing alluded to encroached two feet and a half upon the pathway, and recommended, that, as the inconvenience complained of by Mr. Smith could be very easily remedied, the permission prayed for might not be acceded.

Upon the motion of Alderman Macdermott it was determined that the report of the District Surveyor be approved.

### LITERARY REGISTER.

#### OUR MINOR POETS.—No. IV.

T. K. HERVEY.

THE childhood and early youth of T. K. Hervey were spent at Manchester, though he was born near Paisley, in Scotland. At the former place he passed some years, we believe, in the office of a solicitor: but he appears to have depended for his support in after life on his literary exertions. The first publication of poems by Hervey, in the shape of a book, was about twelve or fourteen years ago, entitled "The Poetical Sketch Book." The pieces collected in this volume, had mostly been given to the world on previous occasions; in periodicals of the day. He afterwards published his "Book of Christmas," and "Illustrations of Modern Sculpture." His object in this last named work—to direct the attention of the wealthy and powerful to British Sculpture,—was a noble one. The Publication was issued in a handsome style, but it is said that it proved unsuccessful.

As a poet, Hervey has an imagination rich, and prodigal of its riches, and is endowed with a fine perception of the good and beautiful in the every-day realities of life. His language is choice and idiomatic, his versification displays a delicate combination of ease and grace, and he possesses the magical skill to make his words find their way to the heart. Though his place must be among our Minor Poets he sometimes equals the greatest. An American periodical, on quoting the following lines, says of them,— "if we were to look through the range of English literature for the loveliest gem, we hardly know anything to be found more beautiful."

#### THE SPIRIT OF THE DEPARTED.

I know thou art gone to thy home of rest;  
Then why should my soul be so sad?  
I know thou art gone where the weary are blest,  
And the mourner looks up and is glad;  
Where love has put off, in the land of its birth,  
The stain it had gathered in this,  
And Hope, the sweet singer, that gladden'd the earth,  
Lies asleep on the bosom of bliss.

I know thou art gone where thy forehead is starred  
With the beauty that dwelt in thy soul—  
Where the light of thy loveliness cannot be marred,  
Nor thy heart be flung back from its goal;  
I know thou hast drunken of Lethe, that flows  
Through a land where they do not forget—  
That sheds over memory only repose,  
And takes from it only regret.

This eye must be dark, that as yet is not dimmed,  
Ere again it may gaze upon thine;  
Eut my heart has revelations of thee, and thy home,  
In many a token and sign;  
I never look up with a vow to the sky,  
But a light like thy beauty is there!  
And I hear a low murmur, like thine, in reply,  
When I pour out my spirit in prayer.

In thy far away dwelling, wherever it be,  
I believe thou hast visions of mine;  
And thy love, that made all things as music to me,  
I have not yet learned to resign;  
In the hush of the night—on the waste of the sea,  
Or alone with the breeze on the hill,  
I have ever a presence that whispers of thee,  
And my spirit lies down and is still.

And though like a mourner that sits by a tomb,  
I am wrapped in the mantle of care—  
Yet the grief of my bosom—oh, call it not gloom—  
Is not the black grief of despair.  
By sorrow revealed, as the stars are by night,  
Far off a bright vision appears,  
And Hope, like a rainbow, a creature of light,  
Is born, like the rainbow, in tears.

The following stanzas have also a charm of undefinable beauty about them, not frequently to be felt or seen.

STANZAS WRITTEN IN A CATHEDRAL.

How loud, amid these silent aisles,  
My quiet footstep falls—  
Where words, like ancient chronicles,  
Are scattered o'er the walls;  
A thousand phantoms seem to rise  
Beneath my lightest tread,  
And echoes bring me back replies  
From homes that hold the dead!

Death's harvests of a thousand years  
Have here been gathered in—  
The vintage where the wine was tears,  
The labourer was sin:  
The loftiest passions and the least  
Lie sleeping side by side,  
And love hath reared his staff of rest  
Beside the grave of pride!

The warrior here hath sheathed his sword,  
The poet crushed his lyre,  
The miser left his counted hoard,  
The chemist quenched his fire:  
The maiden never more steals forth  
To hear her lover's lute;  
And all the trumpets of the earth  
In the soldier's ear are mute.

Here the pilgrim of the hoary head  
Has flung his crutch aside,  
And the young man gained the bridal bed,  
Where death is the young man's bride;  
The mother is here, whom a weary track  
Led sorrowing to the tomb,  
And the babe whose path from heaven, back,  
Was but his mother's womb.

The moonlight sits, with its sad, sweet smile,  
O'er the heedless painter's rest;  
And the organ rings through the vaulted aisle,  
But it stirs not the minstrel's breast;  
The mariner has no wish to roam  
From his safe and silent shore,  
And the weeping in the mourner's home  
Is hushed for evermore.

My heart is as an infant's still,  
Though mine eyes are dim with tears,  
I have this hour no fear of ill,  
No grief for vanished years!  
Once more for this wide world I set  
My solitary bark:  
But, like those sleepers, I shall yet  
Go up into that ark.

These two beautiful pieces would, of themselves, be almost sufficient to establish the reputation of Hervey as a poet; and yet our range of selection in the present instance has been limited by our having only five or six short poems of our author within reach.

Arden's Sydney Magazine, for October, 1843.—Sydney: Morris.

WE readily accord to the editor of this Magazine, the merit of indefatigable exertion to make his periodical a work of variety and utility. We perceive, however, that qualified praise of this kind is far from satisfying his appetite for literary distinction; he indeed gives us to understand that we must either "go the whole hog" in trumpeting forth his fame, or be set down by him as an "erudite growler." In this case we must prefer honesty with an ugly name, to mutual adulation with a bad conscience; for if we were to pitch a higher note and award the praise of genius, elegance, taste, or grammatical accuracy to any one of the articles now before us, we should not only sin against our own judgment, but greatly endanger any little character for critical acumen which we may have acquired. The truth is, the editor has, to use a vulgar phrase, "too many irons in the fire," and time, the best of all arguments, will soon convince him that in attempting, a Magazine, a Weekly Newspaper, (a desideratum too forsooth) and a Cyclopaedia, he has undertaken more than he or any man can perform well. The only original article

of any importance in this number is the leading one, on the civilization of the Aborigines, and though it will be new to most readers of the Magazine in this district, it is in reality little more than a compilation from various articles and documents which had already appeared in the Port Phillip papers. Its object is to shew that in order to effect the civilization of the Aborigines, a system of coercion is necessary, by which the children shall be separated from the parents, for the purposes of education, and a sort of military discipline introduced among the adults, accompanied with missionary labours for their enlightenment. Of the justice or practicability of this scheme, we confess we have strong doubts, particularly as regards the unnatural separation of parents and children. At the same time the subject is one of such vast importance in the present position of this Colony, that it should be viewed and discussed in every possible bearing. We presume from some remarks in the magazine, that this plan has some connexion with Dr. Thomson's recent motion in the Legislative Council. We shall therefore await the result of that motion to enter more fully into the proposed scheme.

Among the other articles which make up the contents of Arden's Magazine for October we do not observe any that call for particular remark, except the memoir of Mr. Boyd, which, though very incorrectly written, is deserving of perusal. The portrait drawn by Mr. Nicholas, and engraved by Mr. Sheppard, is a tolerable likeness.

Statistics of Banking in the Colony of New South Wales, by John Curr. Sydney: Reading. 1843.

A singular amalgamation of shrewd common sense and visionary theory on the subject of the present "Monetary Confusion." The main argument is based on a fallacy—which we have already in part exposed: but there is matter in the pamphlet which will repay a perusal.

MUSICAL REGISTER.

MR. MARSH'S CONCERT.—"Misfortunes never come singly," says the adage: we, of Sydney experience, are disposed to say the same of concerts, or rather to substitute concerts for misfortunes. The lowering times were, we feared, inimical to anything like an harmonious meeting; and with our notice of Mrs. Bushelle's recent concert, we thought we had disposed of one of those "few and far-between" visitations which we Sydneyites hardly dare look for. We were calculating, however, without Mr. Marsh, whose *affiche* for Wednesday last drew to the Royal Hotel a numerous audience—including his Excellency and Lady Gipps, the Mayor and many of the élite of this City. The chief attraction was the mustering of "all hands" to the piano-fortes and harps, to the number of twenty-six, belonging to thirteen individuals, most of them young ladies of very comely and amiable appearance, but whose chief occupation seemed to be to jump their fingers from the dominant to the key-note, as opportunity might offer, during the time that Mrs. Marsh, Mrs. Prout and others, were playing from multiplied copies, the overture to "*Les Diamans de la Couronne*," arranged as a duet for the piano with harp accompaniment.

There certainly was some paucity of talent visible in this arrangement, but the performers were irresistible, and were most *galantly* encored. Mrs. Bushelle was decidedly not in voice, and sung with more effort than usual. Mrs. Wallace has not improved in style, nor learned to sing with correct emphasis. Mr. Wallace's violin, however, Mr. Marsh's harp, and the amateur's violoncello, delighted us much.

Emigration.—The following memorial, signed by a great number of the leading mercantile firms in London, had been presented to the Premier:—"The Memorial to the Right Honorable Sir Robert Peel, Bart., First Lord of Her Majesty's Treasury, &c., &c., &c., from the undersigned Merchants, Bankers, Shipowners, and others, of the City of London; sheweth—That your memorialists are of opinion, that Colonization, conducted on a large scale and sound principles, offers a safe and effectual means for augmenting trade, affording employment for various classes, and removing some of the causes of general distress; and that impressed with the necessity of doing something for improving the state of the country, they earnestly hope that her Majesty's Government will take the subject of Systematic Colonization into their immediate and serious consideration, with a view of ascertaining in what manner the best practical results may be attained. That your memorialists address themselves to the head of Her Majesty's Government, because they conceive that, in the present condition of this country, the subject of Systematic Colonization is rather of great national importance, than one in which the Colonies have a particular interest. And your Memorialists will ever pray, &c."

The Comet.—"The veil is partly raised," says *La Presse*, "and the comet will soon cease to be a mystery. It moves in an inclined orbit of 37 degrees. Its movement is retrograde; the longitude of its perihelion is 264 degrees; the longitude of the ascending node 354. Its perihelion distance is about 300 times the distance of the sun to the earth. The total length of its tail is about 480,000,000 yards. It is a star truly remarkable, both on account of its gigantic dimensions, and by its proximity to the sun. It appears to have penetrated into the luminous body of that luminary. The perihelic line of the comet of 1680, which was up to the present time considered as the shortest possible, was longer than the perihelic line of the present comet. A great problem remains to be resolved. Is the comet really new? has it never before appeared to the earth? or does it not coincide with a star already mentioned in history, and whose revolution is known? One authority asserts that it has been already known, and attributes to it the highest antiquity. 'In the month of March, 1668, says an astronomer, 'Cassini perceived at Bologna, in the constellation of Orion, the tail of a comet, of which he could not discover the nucleus. 34 years later Moraldi pointed out the same phenomenon. In fine, in the year 374, before the present era, in the month of March, a comet was observed in the same constellation of Orion, which was recorded by Aristotle. It is remarkable that the interval from 347 years before the present era to the year 1668 makes 60 periods of 34 years. These singular coincidences of the month,