

The Weekly Register

OF POLITICS, FACTS, AND GENERAL LITERATURE.

"BE JUST AND FEAR NOT"



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THE POLITICAL REGISTER.

"It is of great importance in a state—not only to guard Society against the oppression of its rulers, but to guard one part of Society against the injustice of the other part. Justice is the end of Government.—It is the end of civil Society."—HAMILTON.

THE REGISTER'S DYING WORDS.

"Here is my journey's end, here is my butt,
And very sea-mark of my utmost sail."
Shakspeare.

THE time has come when the editor of this journal must resign the use of the majestic pronoun, and ceasing to scatter oracles from his three-legged stool, descend to the position of a private citizen. To this determination he has been brought with great reluctance, after the most persevering efforts, and sacrifices more than commensurate with his means, made with the desire of giving a permanent existence to the *Weekly Register*. All his hopes of this result are at length extinct, and though at a time when the colony is more than ever in need of sound political instruction, he may regret that his opinions will cease to have any influence with the public, he retires with the satisfaction that he has done all that in him lay to guard his fellow-colonists from the rocks and shoals by which their state vessel is surrounded.

Est quadam prodire tenus, si non datur ultra.

He has written more during the last seven years than, perhaps, any other individual in New South Wales. Among all his original articles, scattered over ten large volumes, he does not know of one that was not written with a pure intention of doing good; and he believes and knows that, despite their imperfections, all taken together have done a very great amount of good to the whole colony. This may be considered presumption, but it is the editor's honest conviction; and having, in the meantime, effected nothing for himself—being a little poorer in December, 1845, than he was in December, 1838—having again and again refused to be made rich by advocating opinions that were not his own—he may be allowed to retire from the political arena, comforting himself with the above honest estimate of his usefulness to others, as the sole reward for seven years of hard labour.

If, in thus retiring, the Editor of the *Register* has little or nothing to retract with respect to his matter, there has been doubtless much in his manner—many asperities of language put forth in the warmth of discus-

sion, for which he owes an apology to his contemporaries and opponents, and he makes this humble *amende* to each and all who may feel it to be due to them.

To those kind friends who participated in his fruitless sacrifices to maintain this journal, the Editor can never cease to be most sincerely grateful.

Whether any writer having not less knowledge, integrity, and firmness of purpose, and gifted with that more commanding talent and perseverance which would be necessary to ensure success, will step forward at this crisis to occupy the position vacated by the *Register*, the Editor is of course unable to state. He would still hope, however, even against past experience, that there is enough of intelligence and public spirit in the colony to check the oligarchical movement, in combatting which, he this day politically expires. If not, he would once more warn his fellow-colonists—and his sincerity *in articulo mortis* will surely be credited—that serfdom and slavery will be the infallible portion of their descendants. Give the squatters permanent occupation, under whatever title, of their immense runs; give their creatures in the Legislative Council the control of the crown lands; undermine the royal authority, which is the only security we have for our civil liberties, and for the administration of justice; stop the progress of municipal institutions by the senseless cry of "no taxation;" decline to receive a liberal and enlightened system of education for the youth of the country—then may Australia bid farewell to greatness, freedom, and happiness for centuries to come.

These have been in substance the first, and the middle, and they are the last words of the *Weekly Register*.

THE GOVERNOR'S COMMENTS ON THE CROWN LAND GRIEVANCE REPORT.

We have often admired the literary axiom of the celebrated Buffon that "tout sujet est un; et quelque vaste qu'il soit, il peut être renfermé dans un seul discours."* The reverse of this axiom seems however to prevail in the councils of the *Sydney Morning Herald*, for although the main question involved in the Governor's comments on the Crown Land Grievance Report may be said to lie in a nutshell (namely whether the

* There is unity in every subject: and how vast soever it may be, it can be embraced in a single discourse.

Queen shall reserve the Crown Lands for her people, or hand them over to be divided among the squatters), our contemporary has contrived to spin it out into six tedious discourses, and there seemed at one time no hope that his subject would be exhausted in our day. We confess we are not sorry at this, for although in other circumstances so flagrant a violation of the principles of taste would have called for a little criticism at our hands, we are at present thankful, rather than otherwise that the leading writer in the squatting interest is labouring to prove that one article of the Governor's is worth six of his own; or in other words that the cause of the "cormorant" squatters is one that requires this constant propping, in order to prevent it from falling to pieces before the arms of its vice-regal assailant. This view of the state of the contest is strengthened by the fact that a similar series of verbose articles on the same subject filled the leading columns of the *Atlas* during the last fortnight. These latter are, however, so full of scurrilous abuse, and so destitute of the semblance of pure argument, as neither to merit nor require further notice.

Of the *Herald's* three first articles we have already disposed in a summary, and we trust satisfactory, manner. The fourth begins by a candid acknowledgment of the justice of the Governor's charge against the committee that they had *misquoted* an act of parliament. No slight blemish this in a document which we have been so often called upon by the *Herald* to admire, and which we have been gravely told created quite a sensation among the members of parliament, on account of its vast cleverness.

But this is not the only blemish. The curious argument of the committee with respect to the consolidated fund was pronounced by the Governor to be involved in "much confusion," and here also the *Herald* is constrained to admit that "there is, as the Commentator remarks, some 'confusion' in the terms in which the argument is put"; another proof that the committee were more desirous of establishing certain conclusions than scrupulous or careful about the premises on which those conclusions were to rest. The Governor had remarked that "the sums raised for the use of the land, are raised and applied by right of OWNERSHIP, precisely in the same way as any private proprietor raises and applies his rent. With-

this sole exception, that they are applied to public purposes, instead of private ones." To this the *Herald* rejoins that "what he thus calls a 'sole exception' is no exception at all. The private proprietor may, if he see fit, apply his rent, in whole or in part, to public purposes instead of private ones; and, *pari passu*, the Crown may, if it see fit, apply its rents, in whole or in part, to private purposes instead of public ones." Otherwise, it is argued, the analogy will not hold good. But what sheer nonsense is this? It is never pretended by the Governor, or by the Crown, or by any body else that the Crown is other, than a proprietor, *in trust* for the benefit of the people. But the crown is not a trustee for the few subjects only who are scattered over this territory, far less does it hold the lands for the exclusive benefit of the squatters. The crown is the trustee for the empire at large, and for its subjects yet unborn! This necessary distinction upsets the whole argument of the *Herald*, as well as that of the Grievance Report. The "absurdity" which the *Herald* wishes to fix upon the Governor, and which he challenges all his law officers to escape if they can, is thus got rid of without any trouble to the learned gentlemen referred to.

His Excellency had said "according to the strict letter of the Civil List Act, the rents or fees on licenses raised altogether independently of any Act of the local legislature, might, I believe, be claimed for the Consolidated Fund, though not the assessment: and it is, I believe, only in consequence of the forbearance of parliament, and the extreme tenderness with which the rights of the colonists have ever been regarded by the Imperial Government and Parliament, that they are not so claimed."

Here the *Herald* indulges in a long list of interjections and exclamations, the object of which appears to be to shew that the Governor and our "imperial Mamma" are very hard-hearted. On the contrary, if it be the law, as it certainly is, that the revenues from colonial crown lands might be ordered to be remitted to England instead of being expended in the colony, and exclusively for its benefit, the alleged grievances put forth by this committee vanish, and the fact remains that, practically, the crown has stretched the law in our favour, and not against us. It is well known that in the more ancient colonies the legal right of the parent state to withdraw a portion of the colonial revenues was not, as in our case, a dead letter, and that for the indulgence at which we sneer, they would have overflowed with gratitude. The question is not one of abstract right. The public good is the sole criterion by which the matter should be tried and judged. The imaginary "rights" in contradistinction to "laws" for which the *Herald* argues, are unworthy of a writer of the present day. Among enlightened statesmen that point has been set at rest for some time. "A real right (said Jeremy Bentham) is the creature of law; real laws give birth to real rights; and this kind of right is the friend of peace, the protector of every body, the only safeguard of the human race. Right, in the other sense, is the chimerical creature of an imaginary law, a pretended law of nature, a metaphor used by poets, rhetoricians, and legislative quacks." Unless Jeremy possessed some of the prophetic fire of his ancient namesake, there

must have been "legislative quacks" before the Land Grievance Report was written.

Even the *Herald* itself, with all its desire to support the squatters, is compelled now and then to join with the Governor in exposing the quackery of this once-boasted Report. We have already seen several examples of this, and at the beginning of the fifth of the articles before us occurs the following: The Committee had argued that "as by the ancient law every owner of land was allowed to feed his cattle on the lord's waste, the analogy of law would seem to imply that the waste lands of this country stand to the settled parts of the colony in the relation of a vast commons, to which all her Majesty's subjects have, of common right, free access." This the *Herald* pronounces to be "far-fetched," and adopts the Governor's remark that "what the squatters enjoy is not a right of commonage, but an exclusive right of possession; good for an indefinite period against all intruders, and good even against the crown itself for the period of a year."

With reference to a return laid before the Legislative Council shewing the injustice of the present system, as respects the large and small squatters, the Committee "express their regret that the explanatory note which accompanied them should contain no reference to the assessment levied on every head of stock depastured beyond the boundaries."

On this the Governor remarks justly that "the return is one of what the squatters pay to the crown for the use of the crown lands, or, in other words, of what they pay to the crown for the depasturing of their sheep and cattle, and is perfectly distinct from what the occupiers may pay to the local revenue for the support of a police force. The two payments are perfectly distinct, made to different parties, and payable under different authorities—as distinct as is the rent payable to his landlord by the tenant of a house in Regent-street, from the payment made by the same individual towards the support of the metropolitan police."

This drives the *Herald* to the following hairsbreadth distinction:—"The Treasurer of the Metropolitan Police and the landlord of the house in Regent-street not only may be different individuals, but in their official capacities are as perfectly unconnected as any two objects can be. Not so with regard to the payee of the squatter. His fee and his assessment go into the hands of one and the same depository—the Colonial Treasurer, alias the Government, alias the Crown!"

A precious quibble! It is true the Treasurer of the Metropolitan Police and the Regent-street landlord "may be different individuals," but it is just as true that they may be one individual; the illustration is therefore good. Again it is true that at present the license fee and the assessment are collected by the same person, but next year they may happen to be collected by parties as different as the purposes for which they are collected are, and always have been, distinct. But no arrangement of this kind, made either one way or the other, for public convenience, can change the nature of the contribution. We have shown, on various occasions, that more than the amount levied by assessment has been expended for the protection of the squatters.

The Committee complain that "there is nothing to prevent the grazier from being

ejected from his run immediately after he has purchased a homestead solely with the view of securing it."

To this the Governor replies—"The right of the crown must remain absolute over its own property;" which means in fact that it is the duty of the crown to protect the public property, for the use of the public, against the inroads of squatters or any other class of intruders; and the principle is in every respect just and incontrovertible.

The *Herald* proceeds:—"After the dogma comes what we must really call an insulting insinuation:—'It is not pretended or expected that the regulations will give satisfaction to persons whose avowed object is to get a fixity of tenure without paying for it.' We ask the Commentator—nay, dropping all superfluous delicacy (!) on a point like this, we boldly ask his Excellency Sir GEORGE GIPPS—where are these 'persons' to be found? Where, when, and how, has this their object been 'avowed'?"

We are happy to be able to answer these questions categorically, and we pray our good brother to be upon no ceremony whatever about their "delicacy". (1.) The persons, whose avowed object is to get a fixity of tenure without paying for it, are to be found in New South Wales. (2.) The places where this their object has been avowed are, among others, the Royal Hotel, Sydney; the Colonial Office in Downing-street, and the Legislative Council Chamber, Macquarie-street. (3.) The avowal took place in the year 1844. (See the *Herald* and the *Atlas passim*.) (4.) The object was avowed by Mr. B. Boyd in our hearing, and in that of hundreds who applauded him, at the great squatters' meeting at the Royal Hotel, when he stated that he looked upon his squattages as "a freehold and an inheritance for him and his"; it was avowed by Mr. A. Boyd to Lord Stanley, when his Lordship asked him if he would be satisfied with a lease? Mr. Boyd's answer was—

"My Lord it sounds more clever
To me and to my heirs for ever!"*

and (not to multiply instances) it was avowed by the Bill, the ever-infamous Bill, brought in by Mr. Cowper, the principal enacting clause of which did away with the squatters' license fee altogether!

Will the *Herald* be content to take these damning facts as proofs of an assertion that cannot be doubted by any disinterested observer of the squatting movement? or will it be necessary for those on whom it may devolve to follow up this discussion to perform the too easy task of overwhelming our contemporary with similar evidence?

* The very first sentence in Littleton's Tenures runs thus—"Tenant in fee simple is he which hath lands or tenements to hold to him and his heirs for ever!"

Domestic Intelligence.

DIVISION OF THE COLONY.—Lord Stanley has directed the Executive Council to enquire into the allegations contained in the petition from the members of the Legislative Council who represent Port Phillip, which was sent to the Queen about twelve months since, praying that that district may be erected into a separate colony. We understand the Council sat on Monday, and examined Dr. Nicholson and Mr. J. P. Robinson.—*Herald*.

THE ORATORIO.—The first and second parts, together with a portion of the third part, of Handel's *Messiah* were given at the Victoria Theatre, on Tuesday, for the benefit of the Commercial Reading Rooms and Library. The music had been got up under the management of the Messrs. Johnson, and the performers comprised nearly the whole of the available vocal and instrumental skill of the city. On the arrival of his Excellency the Governor, who was well received, the national anthem was sung by the choir, accompanied by the full orchestra; and the same was repeated at the conclusion. The overture was played with considerable taste and precision, which prepared us for our usual treat in the succeeding *tenor* recitative and aria, "*Comfort ye my people*," when, eheu! out squeaked a shrill *treble*, pitched full eight notes above the composer's score, and we thought we heard the ghost of old Handel exclaim in his well known phrase "Te teyvil! te teyvil! dat is no ma moosic." What in the name of common sense could tempt Mr. Johnson to suffer the beautiful harmony of this sublime composition to be turned upside down in this manner, especially as he had one or two good tenors competent to sing the part? While thus condemning an inexcusable error, we hasten to express our admiration of the manner in which this lady sang "*I know that my Redeemer liveth*," which is one of the finest airs within the range of musical composition. Passing over the chorusses "*And the glory of the Lord*" and "*He shall purify*," as well as Mr. F. Howson's recitative and aria "*But who may abide*," in which there was little remarkable, we come to the solo "*Behold a Virgin*," which was given with great truth by Mrs. Gibbs, always excepting her defective articulation of the words. The chorus "*O thou that tellest*" went passably well; but Mr. Waller's "*For behold darkness*" was a little darker than the composer could have intended. This gentleman was very useful in the chorus, for which alone his voice is adapted. The master stroke of the evening was decidedly the choral fugal "*For unto us a child is born*." This, had the number and power of the voices been quadrupled, would have been perfect, and truly there is nothing finer, of its kind, extant. The Pastoral Symphony was beautifully given by the orchestra, and Mrs. Stirling did tolerable justice to the succeeding four recitatives. The chorusses "*Glory to God*" and "*His yoke is easy*" were also good, and the same might be said of the air "*Rejoice greatly*," by Mrs. Bushelle, had she not outstepped the modesty of oratorio canons by acting the part. The exquisite air "*He shall feed his flock*" was sung by Mme. Carandini with good effect. The other pieces worthy of special remark were "*He was despised*," beautifully intoned by Mr. J. Howson; the air "*But thou didst not leave*," by Mrs. Wallace, which as it was sung badly the first time, the audience kindly encored; "*How beautiful are the feet*," sung with feeling by Mrs. Stirling, and the Halleluiah Chorus, which last was, we believe, sung in time on this occasion for the first time in New South Wales. On the last occasion it was actually converted into an adagio. It may be remarked of the chorusses in general that the uppermost and lowermost parts were sung with much precision, but that the reverse was the case with respect to the intermediate parts, particularly the *altos*. Besides

his Excellency the Governor and Lady Gipps, we observed his Excellency the Commander of the Forces and suite, and the Right Worshipful the Mayor and family. The boxes of the theatre were crowded; a proof out of many, that however faulty in some respects the musical taste of the colony may be, it exists in such a degree as to be worthy of cultivation and improvement.

EXTENSIVE SEIZURE.—On Wednesday afternoon, an extensive seizure was made by Mr. Ryan, the Inspector of Distilleries, at the Emu Brewery, in George-street, Parramatta, the proprietor of which, Mr. Hayes, was only a few months since fined for illicit distillation, and which was carried on on the very same premises. The *modus operandi* appears however on the present occasion to be both an improvement and enlargement on that pursued on the previous one. The spirit at that time had to pass through several pipes, which were most circuitously placed about different parts of the building before reaching the worm, which in the present instance was within a few feet of the boiler, being one of those technically known as "condensers," and by an ingenious process cold water kept constantly flowing over it, a large quantity of spirit could be rapidly run off. Some idea of the extent of the loss that the revenue would sustain may be acquired from the circumstance of the boiler being between (apparently) 800 or 1000 gallons contents. There was a large quantity of washes also between three and four casks of singling, found on the premises. In this, as on the previous occasion, Ryan caught Mr. Hayes at full work, and he as well as two men who were engaged in the manufacture were under the provisions of the late Act, taken into custody. Mr. Hayes and one of them gave chase, the farmer was captured under a bed in his house, where he had concealed himself, and the latter contrived to outrun the constable who was in pursuit of him. Mr. Hayes subsequently gave bail for his appearance at the Police Court, on Monday, to answer the present charge, on which day the case will be heard. This is the first seizure since the passing of the Act of Council.—*Herald*.

THE LUNACY CASE.—A writ of *habeas corpus* had been granted on Friday last week, by his honor Mr. Justice a'Beckett, directed to Mr. Joseph Thomas Digby, to bring up the body of Edwin Augustus Withers, an alleged lunatic, confined in his custody. The case came on for argument before his honor Mr. Justice a'Beckett, in Chambers, on Monday morning. Mr. G. R. Nichols appeared for Mr. Withers, and the Civil Crown Solicitor on the part of Mr. Digby, and his honor after hearing arguments said "I am of opinion that there is no sufficient warrant of committal to the Parramatta Gaol, nor does it appear that Withers was committed to prison at all in due form, by an order under the hands and seals of the Justices. I am disposed to think that the Governor's order for the removal of Withers is bad, as it does not appear to be in pursuance of a known valid committal to some gaol, house of correction, or public hospital; the prisoner must therefore be discharged."

LEGAL EXAMINERS.—The following gentlemen have been appointed examiners for the ensuing year, under the rule of the Supreme Court:—The Master in Equity, Mr. Darvall, Mr. Owen, and Mr. Johnson.

LEGISLATIVE COUNCIL.—Proclamation by his Excellency Sir George Gipps, Knight, Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, &c., &c.—Whereas the Legislative Council of this colony stands prorogued to Tuesday, the sixth day of January next, and it is expedient further to prorogue the same: Now, therefore, I, Sir George Gipps, Governor of the colony of New South Wales, do hereby order and proclaim that the said Legislative Council shall be, and the same is accordingly further prorogued to Tuesday, the seventeenth day of February next. Given under my hand and seal, at Government House, Sydney, this 23rd day of December, in the year of our Lord one thousand eight hundred and forty-five, and in the ninth year of her Majesty's reign.—GEORGE GIPPS.

WRIT OF ELECTION.—His Excellency the Governor directs it to be notified, for general information, that Thomas Elder Boyd, Esquire, having in due form resigned his seat in the Legislative Council for the District of Port Phillip, a writ has been issued for the election of a member to serve in the Legislative Council for the said district, during the continuance of the present Council, and that the following arrangement has been made for the said election:—Chief polling place or place of nomination, Melbourne; other polling places, Geelong and Portland; day of nomination, Friday, 16th January, 1846; polling day, Friday, 23rd January, 1846; return of writ, Tuesday, 10th February, 1846.

PORT PHILLIP.

THE MANSLAUGHTER CASE.—The defendants, Robert North Beauvais and William Dobson, were committed to take their trial at the next Criminal Sessions for manslaughter, but were admitted to bail, themselves in £500 each, and two sureties of £250.—*Patriot*.

OUR REPRESENTATIVES.—Thomas Willis, Esq., J. P., has declined coming forward as a candidate for the representation of the District. Mr. Brewster is, therefore, the only candidate in the field for the vacant seat, and he is not likely to be opposed. Another resignation may be speedily looked for in the person of Dr. Lang who proceeds to England, in which event a resident gentleman will be prepared to solicit the suffrages of the electors.—*P. P. Herald*.

THE FLOGGING SHIP "KESTREL."—This now celebrated vessel is to figure more than once before the public previous to her leaving Hobson's Bay; and Thursday next is likely to be occupied in the investigation of fresh complaints against Captain Bauvais and his chief mate, Mr. William Dobson. At the rising of the Mayor's Court on Saturday, Mr. John Stephen applied on the part of Michael Hall, one of the crew of the *Kestrel*, for a summons against the captain and mate to answer the charge of assault. The application was made in *forma pauperis* in consequence of the captain refusing to give the applicant a farthing of wages. Mr. Stephen applied on the following affidavit:

"New South Wales, }
District of Port Phillip. }

"Michael Hall, of the barque *Kestrel*, at present lying at anchor in Hobson's Bay, in the said district and colony, maketh oath and saith—That on Saturday, the 6th Instant,

Robert North Bauvais, the master of the said barque *Kestrel*, gave orders to his mate, William Dobson, to give deponent a dozen lashes, stating that this deponent was drunk, and thereupon the said William Dobson by such order did inflict corporal chastisement upon said deponent, whilst the vessel was lying as aforesaid, at Hobson's Bay within the port of Port Phillip; and this deponent saith that he was not drunk, as alleged, nor did he give any provocation or cause for such assault.

"Sworn at Melbourne, this 13th Dec. 1845.

"MICHAEL HALL."

The summons was granted returnable on Thursday. Mr. Stephen had a similar application to make against the captain on the part of Dowlat, the serang or boatswain of the same vessel. By a portion of his affidavit it would be seen, that he swears that he is accountable for the safety of the Lascars, and in the event of his not being able to render a satisfactory account of the death of any of them, was, upon his return to Singapore, liable to be put upon his trial by their relatives and perhaps hanged. The following is a copy of the affidavit filed in the case:—

"New South Wales,
District of Port Phillip. }

"Dowlat, the serang on board the barque *Kestrel*, at present lying at anchor in Hobson's Bay, in the port of Port Phillip, maketh oath and saith—That all the Lascar seamen on board the said barque are, by the custom of his country, placed under his peculiar charge and care, and that upon his return to Singapore he is answerable to their relatives for their having been well treated, and returned to their friends in safety. And deponent saith, that a Lascar seaman named Sangur is laid up on board the said barque in a state of extreme illness and debility from ill-treatment, by beating and by being furnished with unwholesome provisions, such beating having been inflicted upon the said Sangur by Captain Bauvais and his chief mate, William Dobson; and deponent saith, that all the Lascars on board the said barque have been cruelly beaten by the said captain and chief mate during her passage to this port from Singapore. And this deponent further saith, that the whole of the Lascar crew have been kept on rations contrary to their agreement, having received during the greater portion of the voyage nothing but rice, with occasionally a small quantity of lamp oil.

"Sworn at Melbourne, this 13th December, 1845"

"DOWLAT."

The summons is returnable on the same day as the former one. Mr. Stephen made another application against the captain and mate on the part of a Lascar named Mahomed. The following is the affidavit:—

"New South Wales,
District of Port Phillip. }

"Mahomed, a Lascar seaman on board the barque *Kestrel*, at present lying at anchor in Hobson's Bay, in the port of Port Phillip aforesaid, maketh oath and saith—That on Saturday last, the 6th December, William Dobson, the chief mate of the said barque *Kestrel*, struck him a violent blow on the eye with his fist while he was heaving the winch, by which blow this deponent's eye-ball has since burst, and the sight thereof entirely

destroyed, and deponent saith he gave no cause for such blow.

Sworn at Melbourne, this 13th December, 1845.

"MAHOMED."

This summons is returnable also on Thursday. The two last witnesses being Mahomedans, were sworn on the Koran. [We have seen the latter victim of Dobson's infamous brutality, and were sickened at the sight of the injuries received, the pupil of the poor fellow's eye is literally destroyed, and he altogether presents a frightful spectacle.—*Ed. P. P. Herald.*

LITERARY REGISTER.

"HOPE ON, HOPE EVER!"

Meek-hearted Mary of the steadfast mind;
Sweet eyed explorer of the foliage-hidden
And fairy nooks of England,—fairy-bidden,
(As to believe I'm lovingly inclined,
And fairy-paid, with flowers of rarer kind
Than Maying maidens where the wood-walks widen
E'er cull; but which the fairy-folk unhidden
Took from the Dryades, round thy brow to bind,
Meek Mary Howitt! these charmed words of thine,
"Hope on, hope ever!"—in a world like ours,
Have a wise lesson, shewing "things divine,"
While yet the fraudulent bask in fragrant bowers.
Virtue may beg her way through thorns, but sure
Nor this nor Fraud's rejoicing shall endure.

H. PARKES.

BIOGRAPHY.

BOLIVAR.

(Concluded from our last.)

On the 22nd of June, the great congress of deputies from Columbia, Peru, Bolivia, Mexico, and Guatemala was convened at Panama. The idea of this "Grand Amphityonic Council" arose first in the mind of Bolivar, which often conceived projects too vast for his means of performance. The object in view was the annual assemblage of state representatives to discuss diplomatic affairs, and decide international disputes—promote liberal principles, and ensure an union of strength in repelling any foreign attack. In the first and only session a great profusion of eloquence was displayed to little purpose, in the philanthropic commendation of political liberality, religious toleration, and the abolition of slavery. The code of Bolivar was adopted in Bolivia, though not without partial dissatisfaction, on the 9th of December, 1826, the anniversary of the battle of Ayacucho, and General Sucre was appointed president. It was soon afterwards adopted by the congress of Lima, where Bolivar himself was made the president. The prominent principle of this constitution is the appointment of a president for life, with the privilege of naming his successor, and the assigning to him an irresponsible executive power; and yet this apparent institution of absolute monarchy is accompanied with a declaration of the necessity for a general and enlightened exercise of the elective privilege; asserting that "no object is of more importance to a citizen than the election of his legislators, magistrates, judges, and pastors: none are excluded from being electors but those who are vicious, idle, and grossly ignorant; knowledge and honesty, not money, are what is required for the exercise of popular rights." It should, in justice to Bolivar, be considered that the society over which he was called to preside, was breaking loose from a despotism of three hundred years; and that

the excessive ignorance of the great mass of the people required at first, in order to be restrained from anarchy and civil war, a government in which almost unlimited power should be centred in the president. It should also not be overlooked, that a clause of the code provided for its future alteration, when the progress of events should require it. But the suspicion of a people just liberated from arbitrary power imputed to its author the most unworthy designs of usurpation. Universal alarm was excited, especially as the large bodies of Columbian troops, though unemployed, were still retained in Peru, of which Bolivar now was absolute governor for life, in virtue of his own act, and in consequence, as it was said, of intrigue and intimidation.

In Colombia, his long absence had occasioned the prevalence of much disaffection and party strife. General Paez, who, with his numerous cavalry of wild Llaneros, had done much for the patriot cause, had excited in Venezuela an insurrection in favour of a federal instead of the existing central government. Another portion of the republic was determined to adopt the code of Bolivia, so that two-thirds of Colombia were in a state of rebellion, that was daily increasing, and blood was beginning to flow. The presence of the liberator, being thus demanded in the north, he departed from Lima, still leaving in Peru his Colombian forces, and proceeded rapidly to Bogota, where he assumed the extraordinary powers which are authorised by the constitution in cases of rebellion; but, at the same time, he proposed to reduce the army from 40,000 to 6000; to diminish the number of civil officers; to reduce the annual expenses from 14,000,000 dollars to 3,000,000, and to sell the ships of war. In a very impassioned address, he exclaimed, "Colombians! I am among you—let the scandal of your violence, and the crime of your disunion cease at once. There is but one to blame—I am he—I have too long delayed my return." All parties, however conflicting, desired the appearance of Bolivar. There was still a charm in his name, and he was thought to be the only man who could save the republic from ruin. Paez himself issued a proclamation from Valencia, calling upon the people to "receive him as the thirsty earth receives the fertilizing dew of heaven." In the end of December, the liberator arrived at Puerto Cabello, where he met General Paez; but instead of imposing any punishment for his rebellion, he confirmed him in his command in Venezuela, and issued a proclamation of amnesty to all the insurgents; a course of conduct that was readily taken to be a proof of his having himself instigated the insurrection, in order to furnish a pretext for assuming the power of dictator. It is said that Paez, in exciting insurrectionary tumults, was in deep collusion with Bolivar; that the introduction of a monarchy was anxiously intended, and that the lenity and even rewards of Bolivar constitute proof of the plot; but is equally probable that the conduct of Bolivar was dictated by a prudent desire to conciliate the good will rather than to irritate the ferocity of a man whose great authority over hordes of savage Llaneros enabled him, as an enemy, to produce the greatest mischief. However this may be, on the presence of Bolivar all disposition to rebel immediately disappeared; and in February, 1827, he addressed to the senate a letter, in which he