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LEGISLATIVE COUNCIL.—CLOSE OF THE SESSION.

THE Legislative Council has concluded its session. A session we venture to prognosticate which will be looked back upon by the future inhabitants of this Continent with an interest nearly allied to that with which every Englishman contemplates those stormy sessions in the reigns of the first and second Stuart, in which were laid broad and deep the foundations of English freedom. The Council having in its first session made itself master of its own Constitutional powers, and tried its strength in some sharp financial skirmishes, has in the present session risen with the strength of a giant, has taken a masterly and searching view of many flagrant acts of misgovernment and bad faith of the Executive; has grappled with that Executive in defence of itself and its constituents, and remained so completely victorious in the struggle, that despite the habits of servility engendered by a long course of arbitrary Government, despite the pecuniary distress which has humbled many an independent spirit in the dust, scarce a voice is lifted in defence of the Representative of Lord Stanley. The Colonists have indeed reason to be proud of their Legislature, and to feel that when they ask for Self-Government they ask advisedly, they demand a right to the exercise of which there is not even a pretext for withholding. We do not hesitate to say that the matter and manner of the debates are alike creditable. True the head of the Executive has been plainly told the estimation in which he is universally held, and the cuckoo cry of loyalty has been raised by a few who, being wholly unfit for freedom themselves, do every thing in their power to debar its exercise in others. But the people have never been deceived for a moment, they know that the person for whom the feeling is claimed, which an Englishman reserves for his Sovereign alone, has deeply injured, and shamefully calumniated them. They know that it is through his misrepresentations, that, while suffering the extremity of privation and distress, they are believed in England to be wallowing in luxury and extravagance; they know that they have in their Governor a secret enemy blighting their wishes and counteracting their hopes. They know this, and feeling strongly themselves, they sympathize with those who express themselves strongly. Time was, when a man who opposed a bad minister was stigmatised as a Jacobin or Traitor. The administrations of Mr. Percival and Lord Liverpool profited largely by this fallacy, but it is worn out in England and will not pass current here. It is because they are loyal, because they are English in their feelings and notions that the men of talent and property in this country have placed themselves in such decided opposition to the Executive. Their struggle has been against the confiscation of property by Jobbing, by District Councils, by Squatting Regulations, by Espionage. Their struggle has been to teach the people to distinguish between their Governors here and at home, to teach them to attribute the evils they suffer to the former, and to look confidently for a remedy to the latter. This is their task and they have accomplished it well. The session, from the systematic perverseness of the Governor has been barren of practical measures. He could prevent the Council's comprehensive scheme of Education: he could refuse to lighten the burdens of the people by his little finger—but he could not prevent their sending home those two masterly Reports by which his administration has been so thoroughly exposed, and through which, we doubt

not, it will be brought to a speedy and inglorious close. Whatever reputation for statesmanship he possessed has been shipwrecked in this contest. With all the advantages of official knowledge and official information, with the advantage of being able to garble and suppress his own correspondence, while that of the Council is necessarily public; with the advantage of being able to select for retrenchment those portions of the public service which will create the greatest inconvenience and unpopularity; with the most unscrupulous parliamentary tactics, he has failed in the attempt to control a Legislature hampered by innumerable restrictions, new to the conduct of public business, and containing a large number of his own creatures. It was wrong to make the attempt, it was despicable to have failed in it. It is not by mean affronts and ungracious concessions that our Legislature is to be intimidated or cajoled. A man of far less ability than the Governor, can rule us in harmony with the Council. A man of twenty times his powers cannot govern in despite of it. We see this and we rejoice to see it. We are happy also to believe that a spirit of manly and free discussion, very different from the servile tone in which the sayings and doings of men in office used to be considered, is growing up among us; and we believe that to our other obligations to the Council, we shall, ere long, have to add a society capable of forming correctly, and expressing independently, its opinions on subjects in which it is so much interested, and a press calling men and measures by their right names, and free alike from the coarse abuse and servile adulation, between which the great organ of opinion in new countries is but too apt to oscillate.

THE POLITICAL RELATIONS BETWEEN THE COLONY AND THE MOTHER-COUNTRY.

To those who have been long engaged in the advocacy of favorite theories, nothing, perhaps, can be more gratifying than to witness the gradual success of their exertions, and the conversion of the parties who were once opposed to them, to the recognition of their truth and justice. "It may be given," said Curran, "to a Hale and a Hardwicke to discover and retract a mistake," but this is not the privilege of the majority of mankind; and when they who have had the misfortune to err, indicate a disposition to amend, it is wise to receive their first efforts with indulgence, and dispense with the humiliating ceremony of public recantation. With these feelings have we perused our long files of English journals, received by the *Persian* and *Morayshire*, and now acknowledged with gratification that our British cotemporaries, whose knowledge of the state of New South Wales was, until very recently, lamentably deficient, have eagerly availed themselves of the means lately afforded them of obtaining better evidence, and that their information is now as precise and accurate, as it was before vague and unsatisfactory.

The position of our great Stockholders beyond the boundaries of location has at last become a question of anxious discussion in the leading political circles at home, whilst in many able articles in the most influential of the London journals, we find a calm and philosophical examination, not only of the question to which they directly relate, but also of certain great principles involved in its final adjustment. Although the writers are very far from agreeing upon a remedy for the evils which they admit are proved to exist, they have, nevertheless, all contributed their cordial aid to lay bare the bad effects which the Squatting system, and the notorious Regulations of the 2nd of April last, must have on the morals and civilization of the Colony; and the result has been— notwithstanding anything which may have been said or written by Sir George Gipps and his satellites to the contrary—a very general awakening of the warmest sympathy for the enterprising dwellers in the Pastoral Districts of this great Wool Emporium. The *Morning Chronicle*, in a pithy and comprehensive article, which grasps the salient points with a giant-hand, adverts to the palpable truth, that, whilst the Wool-growers form the most valuable class in the Colony, furnishing

it with its only export, "the colonial authorities regard them with an unfavorable eye, as men whose capital is not vested permanently in the soil." The *Colonial Gazette*, and other able papers, show the utter absurdity of a system which reduces such a valuable class of Colonists to the circumstances of wandering Arabs; and the watchword, "SECURITY OF TENURE," is now as firmly raised in the precincts of the Colonial Office, Downing-street, as it was last year in every district of New South Wales, from the table-lands to the sea.

It is curious to trace the progress of public opinion at home on the subject which so materially affects our well-being. Fourteen or fifteen years ago, our excellent cotemporaries insisted on announcing the Wakefield principle as one which was to work its *speciosa miracula*, if the Colonial Office would but *laissez faire*—as one which was to supersede all action on the part of the supreme Government, beyond merely allowing free play to the "principle." But now that it is discovered by sad experience that the value of the lands (on which it was proposed to raise a borrowed capital, on the security of their future sale!) solely depends on the precision with which the Wakefield principle works, we find our quondam opponents waving all allusions to their once pet system, and cordially opposing their united protest against the "injudicious and unjustifiable proceedings of Sir George Gipps."

This change is in a great measure, if not wholly, attributable to the improved manner in which they have obtained their information. Some years ago, when the question of Transportation was discussed at home, a parliamentary committee was the chosen instrument for collecting the evidence, both oral and documentary; and, so far as the result proved, a very clumsy contrivance it was. Competent only to record such evidence as could be readily brought within its reach, and unable to obtain that which could only be got at a distance from its own locality, the Transportation Committee of 1838 wound up its labors with a series of vague and unmeaning resolutions, which, "though death to us," were "sport" to the public writers of that day. But the interests of our Pastoral Commonwealth have been advocated in a far different manner. The masterly Reports of our Local Legislature on Immigration and Crown Lands' Sales, placed the English public in possession of a mass of evidence, drawn from various and remote localities; and the voyage to England undertaken by our enterprising fellow-Colonist, Mr. Archibald Boyd, enabled him to complete the whole of the links in the chain of evidence, and to place before the British Parliament (by his friend, Mr. Scott) and before the Colonial Office, in his own person, the most complete body of facts ever before brought together on the state of the Stockholders of New South Wales. The many able articles we have had the pleasure of reading since the arrival of the last two English vessels, may be regarded as conclusions deduced therefrom; and whilst we hasten to acknowledge the deep debt of gratitude which the Colonists owe to Mr. A. Boyd, we also record their thanks to the London journalists, whose careful consideration of that gentleman's statements induced them to throw their weight into the same scale, and to declare that they had no difficulty in showing that they were abundantly justified, by his clear and candid exposition, in so doing. The mischievous Regulations of the 2nd of April last, followed as they were by the organization of the Pastoral Association, and the masterly Report of the Select Committee on Crown Land Grievances, tended happily to assist in the great work which Mr. A. Boyd and his friends had begun. To the very danger of the Regulations we always looked for salvation—some great necessity was required to arouse us from our inaction and depression. The question presented itself as one from which there was no escape—and it is safe from the moment that England shall have decided. But while our present Governor continues to rule, and while a chance of success is open to him, no art, no means will be spared to convulse the Colony, to perplex the Colonial Minister, to irritate principle against principle, interest against interest, Government against people, the Mother-country against the Colony. How fearfully efficient for

such ends is the very irresponsibility of the Government of which he is the head—a mighty evil in itself, independently of the end to which it is the means. But by arresting his projects, we at once frustrate the end, and take from him the object for which these means are resorted to.

It has been often said, that, in England, the increase of the popular element prevents attention to Colonial affairs. It did not always do so; but, of late years, the subject has been so encumbered, that the public neither understood nor cared about it. It was, therefore, most essential to simplify it as much as possible, and no one amongst us who has read Mr. Archibald Boyd's graphic and interesting description of a Squatter's life, can entertain a doubt that, however obtuse the Noble Secretary, the public mind in Great Britain will have been made practically to feel the importance of the great interests he advocated, and the impolicy of a system which threatened to destroy a most valuable branch of Colonial industrial enterprise.

But whilst the Colonists, encouraged by the marked attention which influential men in England are paying to their affairs, submit their grievances for the consideration of Her Majesty, and, in dutiful Addresses, pray redress therefore, His Excellency tells their Representatives in a melodramatic speech—the composition of which rivals Fitzball, the delivery being worthy of Cartlitch or Harry Kemble—that “as many months must necessarily elapse before Her Majesty's replies to these Addresses can be received in the Colony, he considers it is duty openly to declare his opinion, that many of the demands of the Council are such as never will be granted—such, indeed, as never can be granted, unless it be the pleasure of Her Majesty and Parliament fundamentally and entirely to alter the relations in which the country now stands to the British Empire.”

Now what are those demands which never can be granted—what is that Constitution which the Council considers essential to the liberty of New South Wales? Is it such a state of things as enables the Governor to mutilate or swamp every liberal measure which proceeds from the Representatives of the People?—Certainly not. Is it an imaginary balance of three powers, Governor, Crown-Nominees, and Elective Members, by which prejudice can maintain the ascendancy over reason, and prerogative hold in subjection the people's rights?—We apprehend not. Is it a fanciful scheme of Government, by which intolerance may be honored and rewarded, insult hurled with impunity at the people's representatives, and ignorance or caprice sit securely on the irresponsible throne of power? We dissent entirely from so monstrous a proposition. Liberty is the purpose of the Constitution which the Council demands, and the independent and free exercise of the functions of the popular branch of the Legislature is indispensable to its existence. The majority therefore desire organic change as a means and not as an end; they are too sensible and nice to indulge in profitless abstractions. They are practical men, who have no interest in “extensive alterations in the constitution,” except when considered as the means of redressing the heavy grievances under which they are suffering; and their opinions will reflect with greater accuracy the wishes of even the ‘Conservative’ portion of the community, than all the theatrical clap-trap speeches of Lord Stanley's Australian Roscius.

It would be far too large a field here to enter upon, were we to inquire what further benefits the Colonists have a right to expect beyond what “it pleased Her Majesty and Parliament very recently to grant to this portion of her dominions;” or what changes they desire as giving any real value to that imperfect and somewhat impracticable work, the Constitution of 1842. We have every confidence that on the removal of Sir George Gipps the demands of the Council will be granted, and that the Supreme Government will see the impolicy and injustice of offering further resistance to the united wishes of the Colonists and their Representatives. To the Council then we confidently look to finish the good work so energetically begun by Mr. A. Boyd, Mr. Scott, and other influential friends of the Colony in England, and to make our grievances thoroughly understood and felt by the British public; while in any organic changes they may seek to carry out in our constitution, we feel satisfied that they, at least, will “employ no weapons and no stratagems which shall either tarnish the glory of success or aggravate the mortification of failure. Stand or fall, it will be in the cause of liberty, by the side of justice, and under the standard of truth.”

THE LAST CAMDEN MOVE.

PERHAPS unadvisedly, our readers were told last week that the recent Camden manifesto would be examined in this journal. It is necessary to redeem this pledge at the risk of being thought a bore. However, let us to the work with the best grace we may. The MacArthur reply is an attack upon the motives and policy of the Representative members of the Council, and although, according to Dr. Johnson, a tempest in a slop-basin is not a very formidable thing, still it is a tempest. The piece of writing which has been concocted by the Messrs. MacArthur, and addressed to the requisitionists, more completely than anything of the sort which we have seen for some time past, comes under the designation of Humbug. It is not one of the latest and most approved moves, either, of that ancient and glorious game. Secretly to set up an idol,

in order that you may have the merit in the face of the people of knocking it down, is a device which, at all events, lacks novelty, and hath moreover this further disadvantage, that, if the destruction thereof calls forth the plaudits of the people, it nevertheless displeaseth the priests of Bel, who had been at the pains of arraying themselves to minister at the altar which they had erected.—But we are anticipating.

It would be hypercritical, and perhaps cruel, to be severe upon the grammar of a document, in the fourth paragraph of which the writer informs his friends with becoming humility, that neither by previous habits of life, nor appropriate mental training, is he qualified for the proper discharge of the trust offered to him. We shall, therefore omit to dwell upon such expressions as “I should not have hesitated to devote,” or “did I believe that by so doing.” If Mr. MacArthur chooses to break poor old Priscian's head after this fashion, he shall do it, as far as we are concerned, in peace and quietness.

But the grave accusations to which this Camden answer is open are—First, that the Macarthurs got up the whole affair, and were the moving parties in it from first to last.—Second, that, inasmuch as, according to the MacArthur opinions, mischievous men are initiating mischievous measures, Mr. MacArthur stands self-convicted of political cowardice and dereliction from public duty, in refraining from coming forward to combat those measures.

1. In the opening sentence of his reply, Mr. MacArthur states that these “cordial pledges of support are the more gratifying because unsolicited, and entirely unexpected on his part.” Now, if ever there was a specimen of pure humbug, we have it here. The actual fact is, and we have it from the most unquestionable authorities, that the whole movement originated with the Macarthurs: that they were at the bottom of the canvas for names at Berrima: that correspondence on the subject took place, and that it was intimated in an oracular manner by Mr. James MacArthur, that his brother “might” be induced to stand. And when Mr. MacArthur assured his friends that the honor was “the more gratifying, because unsolicited,” and that the matter was “entirely unexpected on his part,” he obviously thought that the people would forget to distinguish, and therefore that he might safely make this assertion. He forgot that he was rather transparent as one of the Machiavelli school of politicians, and that persons could scarcely fail to see that, although he might not actually have asked for any signatures for the requisition, and might have assumed an unconcerned look whenever the subject was alluded to, yet that his veracity could scarcely bear him out in the assertion of profound ignorance of a matter in which his brother took an avowed interest, and with respect to which Camden was, so to speak, the head-quarters of an intrigue.

But the most amusing part of this small farce may be found in the figure which the Requisitionists themselves cut. They must be extremely disgusted, we trow, at being made to assume, in the public estimation, one of two characters, namely, either stalking horses to the caprice of these Camden statesmen, or aiders and abettors in a collusion having as its object the creation of an opportunity to abuse the present Council. We fancy that it will be a long time ere this gentleman will have anything more to do in the way of MacArthur Requisitionists. The priests of Bel must be thoroughly avenged at the capricious overthrow of the altar which they had been encouraged to set up, and at which they had, by command, stood ready to minister. Doubtless, as respects the future, they will make a secret vow to burn their incense in other temples.

2. If we may judge from the force of argument displayed in this answer of the capabilities of the writer to shine in the Council Chamber, the result will not give the basis of a very high estimate. For Mr. MacArthur gravely and positively assigns as his main reason for refusing to be put into nomination the circumstance that mischievous men are acting mischievously in the Council, and that therefore “men of moderate opinions, desirous of the public good” should refrain (!) from coming forward. Here is an unadulterated specimen of that conclusive reasoning in the engendering of which Camden air has been so often celebrated. Because a mischief is increasing, therefore a philanthropic man should run away from it. Because the house is on fire, therefore the owners should stand by and idly regard the progress of the flames. Because moderate opinions are scouted, therefore a patriotic conservative should shrink from the task imposed upon him by his brother-colonists, and leave the field in possession of the enemy! We are really sorry to be driven to compliment the Camden Cabinet upon its prudence at the expense of its public spirit, and to be compelled in this instance—expressing an unfeigned surprise at the secession of Mr. MacArthur from the combat—to

“Accept a miracle instead of wit.”

But this fire-work is nearly out. We ourselves, as well as our readers, are sick of Camdenizing. Old John MacArthur was a clever man; he established the wool export, and took care of the main chance. Therefore his sons are great men; therefore Camden is a place which everybody hears of. But it is extremely uncomfortable, whenever one's eye is directed towards that quarter, to see a political wriggling going on. These people are always doing a little politics in a small way; they are for ever letting off crackers amongst other men's shins. Hardby, the Cowpasture Bridge naturalists are constantly witnessing the explosion of small volcanos. Either, as during the Squatting movement, there is “a Camden meeting,” at which two score of dependants are mercilessly harangued in the rain, under the verandah of the village inn, by the great Panjandrum himself, with an umbrella over his head; or “Publicola” writes anonymous letters to obsequious newspapers; or a remonstrance against the impoliteness of language in Council Reports is hawked about in breeches pockets, until by the time it has attained its ninety-ninth signature it is impregnated with worse odours than the odour of loyalty. Self-excluded from the Council by an act of folly, the Macarthurs are wretched at seeing around them a stir in which they have had no part. Cursed, nevertheless, with a love of notoriety, and a preposterous notion of their own importance, they are perpetually firing off political pop-guns to obtain notice, and are as restless under their self-pronounced ostracism as roasted chestnuts upon a hot shovel. “If you ask me my opinion of that man, Sir,” said Mr. Pitt of a certain noble Duke, “I will say that he is a man of inconceivably small mind.” Can any man fail to make the application?

THE PRICE OF FREEDOM.

“The danger of insisting on extreme rights.”—LORD STANLEY.
“Pestiferous, rabid opposition—Humiliating dilemma—Stopping the supplies—Infatuated gentlemen, &c., &c.”—*Sydney Morning Herald*, Dec. 30, 1844.

They tell us that Freedom's a holiday dress,
Very gaudy and flaunting, they're free to confess,
But too thin for the storm, and too frail for the blast,
It is quite out of place when the sky's overcast;
And that those on whose shoulders 'tis worthy to fall,
Not to wear it to rags, will not wear it at all.

They tell us that Freedom's a suppliant that bends
To the insults of foes and the treason of friends;
They say 'tis unstatesmanlike even to dream
Of insisting on right, if the right be extreme;
And that people in power will always be lenient
To modest requests—if they're not inconvenient.

They say that if Governors choose to be skittish,
To thwart them is Turkish, to bend to them British;—
That Freedom's the only good under the sun,
For which nought's to be suffered, no risk to be run;
And that he who would venture his neck or his gains
For so abstract a cause, is a fool for his pains.

They tell us—but one thing they tell us not—where
Has a nation been freed by submission and prayer?
What tyrant was ever persuaded to break
The bonds of his slaves for humility's sake?
And by whom was e'er Freedom successfully sought,
Who shrunk from the price at which Freedom is bought?

EARLY CLOSING OF SHOPS IN THE CITY.

THE opinion which all parties have been unanimous in expressing as to the propriety of closing the shops in the City at a reasonable hour, has had due weight with the proprietors. The hours of business will now be limited to the time suggested at the late meeting, over which the Mayor presided, and the young men and women employed at the establishments “whose animal spirits have been destroyed, whose physical energies impaired, and whose mental faculties weakened by ‘work, work, work,’” will now have instilled into them a knowledge of the value of leisure as a source of enjoyment through life, and the mental powers will be developed and sustained. There will, however, soon be a question as to the best means of enabling the toiling votaries of the counter and the work-room to avail themselves of the leisure placed at their disposal by the sympathy of their fellow-citizens: it must not be forgotten that not only does the comfort of life need recreation, and that the overworked man or woman makes but an indifferent student, but that overstrained labor of any kind implies a state of mind absolutely unfit to profit by efforts of study; and also that less formal efforts of teaching may be as much real sterling ‘education’ as the pedagogue's lecturing. “You must first,” (says our esteemed friend the *Spectator*, in a recent article on the point to which we desire to draw the attention of the young men and women whose release from nightly thralldom we cordially hail) “You must first consider the capacity of your scholar—not what he might be in a state of society suited to develop all his energies, but in that state which leaves him nothing but the dregs of his energies to be used at a fag-end of time—a scrap of time to be employed by a being jaded with fixed attention. It is of course not proposed to communicate, in that scrap of time, to a creature whose attention is exhausted, the whole circle of human knowledge. A portion must be selected. Now the selection should not be guided by the abstract excellence of the portion to be communicated—it would never do to attempt giving to a fagged-out man, before bed-time, that concentrated instruction which may suit youths of good circumstances for two hours in the easy and vigorous noontide between breakfast and dinner. Just as the weakened stomach derives less nourishment from a greater quantity of concentrated food than it can extract from a weaker kind of food and smaller in quantity, no solid mass of knowledge can be “assimilated” by the mind, unless it be alert and fit to digest and quicken. In case of an exhausted state, a stimulant is needed for the will; and a little knowledge spiced with such stimulant may be learned where more of a heavier kind would load the digestive organ with a hungry burden. Now much of what is really “education” to the educated classes, is not the matter didactically taught in schools, but the habits of agreeable deportment, of tasteful enjoyment, of conversation with the better-taught. How much of the education of young ladies consists purely in that kind of tuition, many a patriarch in the middle-class, with straitened means, could tell. The girls “know” little—their knowledge is contemptible; yet, compare them as cultivated beings with ruder classes, ay, and even with many “well-informed” people in a circle inferior to their own, and probably they will by no means suffer in the comparison. This is one consideration why the recreative method of self-culture for these classes is a part in the circle of education well suited to their circumstances. Perhaps no means could produce such proportionately great and beneficial results, as imparting to those classes the tastes and enjoyments of more cultivated classes.

An attempt to bring about this state of mind among the people has recently been made at Birmingham, where, under the title of the Athenic Institution, a society has been formed, which bids fair to raise a permanent antagonistic influence against the selfishness of severe taskmasters, and to effect a fusion of classes, which must not only directly counteract the existing alienation, but, by the presence and companionship of the cultivated, will offer one of the best means of the social species of education, which we are inclined to regard as most suited to the state of those on whose behalf we now write. We very willingly afford space for a brief account of some interesting proceedings in connection with the Birmingham Institution, and can only recommend to the wealthier classes of this Colony the example of Lord JOHN MANNERS and his friends, who have, indeed, on this occasion, “nobly vindicated a humanity above their rank.” We now submit this account, and truly glad shall we be to find the efforts of the young men and women of Birmingham imitated in every town of New South Wales:—

“About three years ago, four respectable young men, desirous of cultivating their minds, and avoiding the gross irregularities to which, unfortunately, too many youths of the present day are subject, resolved upon establishing a society by which they could engage their attention during their leisure-hours in useful mental pursuits and rational amusements and recreation. They accordingly collected together some twenty young men of their own age, submitted their plans, and formed themselves into an institution bearing the name of the Athenic Institution. They divided