all that was necessary to secure an ample apology from all parties detaining him, together with an assurance from the learned Judge, that had he but known this fact before, his nativeship would have been far more respectfully and tenderly treated. His Honor, however, to the apparent confusion of the offender, in a mild but firm manner, pinned the native's faculties to the consideration of the subpœna, and therefore, without more words on the matter, he was fain to turn on his heel, and in dismal mood glide from the Court. The business proceeded in the usual manner for four or five hours, at the end of which time another interruption occurred. The Solicitor-General informed His Honor, that the native aforesaid had been behaving impertinently to Mr. Moore Dillon a few minutes before. The disturber had been, it was clear, merely smouldering since the judicial lecture of the morning, and now had broken out afresh, his wrongs having been the fan with which he had fed his flame. Mr. Prout was stirred up from his official doze in his easy chair;—the constables again looked assailant of human liberty;—the offender was again summoned into the Judicial presence. In about a minute the messenger returned pale with horror, and announced to the Court, that our native declared he would not come but by force. A sufficient force was then sent out, on which, just as everybody had wrought himself up for a scene, the native, with a perverseness which seemed to disappoint and disgust some of his friends, quietly walked in of his own accord. On being questioned, he "had not intended to be impertinent to Mr. Dillon, and should not have refused to come just before, if he had known that His Honor the Judge had sent for him." It was plain the native had abated somewhat of the high tone of the morning, as if puzzled and confounded by the celerity of this branch of practice, which, if he were a reader of Shakspeare, he must have felt assured, could not have been in that Poet's contemplation, when he used the words, "the law's delay." His Honor again rebuked the offender with temper and discretion, threatening to commit him, if he again in a similar manner incurred the notice of the Coust, upon which the native retired for the day.

Such scenes as these, ludicrous as they may appear at the time of their occurrence, ought not to take place in a Court of Justice. They not merely interrupt business, but they tend also to lower the dignity of the Judicial office, and the administration of justice itself. Why should the attention of Judge, Jury, Council, Parties, and Witnesses, be called away from the proper business of the hour, to such incidents as those, which we have shewn to have required the intervention of the Court? And this too, in a case, in which it is impossible to say, that the native abovementioned, had not some real ground for complaint. As an abstract fact, without charging it either to the Governor or on the Council, it must be clear to all, that the disallowance of witnesses' expenses in criminal trials, is not only a monstrous injustice to the witnesses themselves, but it necessarily operates as a premium to crime. Talk of tyranny, what greater tyranny can be conceived, than compelling a man from his home, and the business whereby he maintains himself and family, and at the risk of an attachment if he disobeys, requiring him to attend a trial, from day to day, without offering him a farthing of compensation? Who, will prosecute an offender for stealing a bullock value £2, if the prosecutor finds he must pay perhaps ten times as much, in bringing the offender to Justice. Whilst this rule of practice lasts the thieves will have a fine time of it. "We shall not be prosecuted," they will hope, "for prosecution is now much too expensive to the parties." A man who has suffered a robbery will frequently put up with the first loss;—the evil will increase a thousand fold: robberies will be comitted almost in the face of the day, until the giant grievance will cure itself, by becoming intolerable. It is impossible that the present system can work for twelve months, without creating indignation and disgust throughout the land.

PATRIOTISM,

Viewed through a Tory Telescope.

In ancient days, a gallant son of Rome,
With heart as spacious as is Peter's dome,
Pluck'd from Lucretia's form the crimson blade:—
A patriot here with some's a different trade;
For he his country's honour should deride,
And leave the dagger reeking in her side.

A fat official met the modern Brutus,
And said, "Arn't you the chap what's going t'uproot us,—
The silly fool, without consideration,
Who wants to benefit the general nation?"
"I am!" replied the Brute; "and, though my dreams
May seem in eyes perverted, selfish schemes,
I'm still determin'd to pursue the cause,
And look to future ages for applause."
"Pooh!" said the officer, brimful of pelf,
"Adopt our plan—*Look only to yourself.*"

Original Correspondence.

THE PORT PHILLIP AND SYDNEY DISTRICTS.

Mr. Atlas.—The relative positions of Port Phillip and the Sydney District are wonderfully little understood in the latter part of the Colony: and the little that is known of the rise and prospects, the claims, the injuries, the neglect, the wants of Port Phillip are carelessly regarded. Sydney considers Port Phillip an offspring of her own—like Bathurst or Maitland; formed and nurtured by herself; and from whom she may claim all the devotion, and tribute, and filial duties of a child: but Sydney forgets that there are parental as well as filial duties, and that of all parental sins, neglect and oppression are the worst.

Port Phillip, however, disputes the claim, and denies that she was established by Sydney. Even her discovery is due to others; and invaluable as were the researches of Sir Thomas Mitchell, it must be remembered, that he found a flourishing settlement at Portland Bay of Van Diemen's Land settlers; and that others, from the same Colony, had laid the foundation of Melbourne a year and a half before Sir Thomas saw their rising city from the summit of Mount Macedon. The Governor also of Van Diemen's Land recognised in his despatches to the Home Government, the flourishing state and prospects of Port Phillip before the Government at Sydney made any effort for its support. The hundred and fifty miles of water-carriage was, and is still, a real bond of union; the trackless journey of six hundred miles to Sydney was a formidable barrier, truly *separating* Port Phillip from New South Wales. It was not until a Colony was established, and a Magistrate chosen by the people to keep order amongst them, that the Governor of New South Wales sent assistance to their efforts. It was found that the struggling place could swim; so parental help was tendered to preserve it from sinking. *From that hour to this, Port Phillip has not cost Sydney a farthing.*

Thus, disproving that Port Phillip was founded or "stocked by the Sydney District"—or that Sydney "paved the way or pointed out the road to Australia Felix,"—we admit that, attracted by its success, the Stockholders of New South Wales poured their flocks and herds into the Port Phillip market, at an enormous profit. They have done the same for South Australia; but we have not heard of any claim on that account set up by Sydney to control the government and enjoy the revenues of that Colony. And if "paternal regard and national sympathy, and gratitude to benefactors" constitute a title to authority, surely that influence is due,—not to those who bring their goods to a new and advantageous market;—but to those, the Vandemonists who, hazarding their goods in a precarious speculation, *created* that market, and enhanced the property of the Sydney stockholders one thousand per cent.

The mere continuity of surface of Sydney with Port Phillip is absurd as an argument for their combination under one Government. It is well to declaim against the separation of Port Phillip by allusions to the Saxon Heptarchy. A Port Phillip parish is about the size of a Saxon Kingdom; and continuity of surface should unite the three continents of the Old World into one state. Other circumstances than either continuity or insulation regulate the extent of kingdoms.

It is in vain to urge upon the people of Port Phillip that union is strength. There is no doubt of it. They are fully determined that the people of Sydney shall feel it. But betwixt Sydney and Port Phillip the aphorism does not apply: there is no union in the case. There is no community of sentiment; there is no community of advantage. One part is weakened to strengthen the other: that may disperse, but it cannot increase strength. There is no community of interest. With a distant appendage, discontented and abused; its energies crippled, its resources in abeyance, its wealth abstracted, Sydney may have, and has, a legal *Junction;* but the moral power of *Union* is utterly wanting: and in return for the fable of the bundle of sticks, Port Phillip may retort the allegory of the thorn in the side.

Within these few years the inhabitants of Port Phillip could neither complete a conveyance, nor recover a debt, nor bring an action for redress, nor prosecute a felon, without a voyage of a thousand miles, and all its expenses, delays, and dangers. The very same class of arguments were used then against the *Juridical Separation* of Port Phillip, which are now used against the Financial and Municipal Separation. But it was not the concession of Juridical, which has excited the demand for Entire, Separation. A thorough separation was demanded from the first. Port Phillip has never looked on the establishment of the Local Supreme Court of Justice other than as the first instalment of it. Every argument now used against total separation is a condemnation of this instalment; a retractation of the wisdom, the policy, the necessity for a Supreme Court at Port Phillip.

It was at that time, and is still, the misfortune of Port Phillip to be misrepresented to the people of Sydney. They regard Melbourne as a village, or at best a settlement like Bathurst; they consider the demand for Separation not merely improper and unnecessary, but foolish. They are ignorant that Melbourne is a large and flourishing city, the commercial depôt of a large and flourishing district: a distinct and separate district from their own, which, from its own unassisted resources in the eighth year of its settlement, contains more inhabitants than any one twenty out of England's forty colonies. They overlook the utter impossibility of Sydney being the emporium of that District, since the expense of transit would absorb more than all the profit; they forget that Port Phillip, after defraying all the expense of her present quasi government, pays more to the Sydney Treasury than would cover all the cost of a separate government; besides sufficient for her own internal improvements.

When the people of Sydney ridicule the complaints made by Port Phillip of 'Absentee' Government, they forget all their own petitions for a local legislature; all their remonstrances against the 'Absentee' Rule of Downing-street. Sydney has indeed enjoyed a solatium for Absenteeism. Thousands of British labourers and millions of British treasure have been supplied to the Sydney District by the Absentee Mother-country. But Sydney has done the very reverse for her step-daughter, Port Phillip. England has defrayed all the charges of the convict establishment of New South Wales; but Sydney (and it is a fact hitherto not observed) like a true step-mother, has charged the Port Phillip revenues with the whole cost of the few of those same convicts who have inhaled the atmosphere of Australia Felix! If it were right for Sydney to complain of an Absentee Rule which added millions to her wealth, it must be more just for Port Phillip to complain when her 'Absentee' Government at Sydney deprives her of her treasures: and gives room, in reply to the question "Where would Port Phillip have been if it had not been for New South Wales?" to answer "Where would New South Wales have been if it had not been for Port Phillip?" The Auditor General has told us:—Bankrupt.

The mass of the inhabitants of New South Wales are not aware that the revenues of Port Phillip have been regularly taken away for the expenditure of their distant district; or if informed that some quarter of a million has already been thus abstracted, and that twenty to thirty thousand a year is still abstracted from Port Phillip, they have a vague idea that the case is one of injustice and hardship. The iniquity is palpable and flagrant when the statement is varied, in calculating that every man, woman, and child in the Port Phillip District pays,—besides the expense of his own Government,—a tax of a pound a head, annually, towards the cost of governing the District of Sydney. Five shillings apiece is the saving to each inhabitant of the Sydney District by this robbery of Port Phillip! Two pence per head, per annum, is paid by every inhabitant of Port Phillip to Sydney for the privilege of crossing the River Yarra at Melbourne, on payment of a toll besides! One half of every Port Phillip Squatter's license and assessment is applied to the wants of the Sydney District! Such is the wholesale pocket-picking, by the determined continuance of which by their Representatives in the Council, the good name of the inhabitants of the Middle District has been disgraced.

The great distance of the seat of Government is a monstrous evil, aggravated by the want of those roads and bridges which ought to have been constructed by the Port Phillip money, but which has been applied to make the roads and bridges of the Middle District. And the inhabitants of the boundaries, though nearest to Sydney, suffer the most; for as all intercourse with Government is transacted at Melbourne, their communications must first be sent there, and then back to Sydney, whence a reply returns to Melbourne; so that the Border Settler receives his answer after a transit of eighteen hundred miles, and a despatch of five or six weeks. Is this the arrangement, the result of our union, which is to effect the promptness, and vigour, and co-operation, without which a Government becomes an unwieldy machine, unable alike to resist disturbances within or attacks from without?

The annexation of Port Phillip to Sydney has extinguished the advantage of her political privileges. Her right of representation is virtually in abeyance. All her Representatives are directly interested in the Sydney District in a manner more or less opposed to her interests. It is but adding cruelty to injustice to taunt Port Phillip with the fact that not one of her citizens has an individual interest so dangerously preponderating, as to induce him to sacrifice his personal affairs for a vain struggle with a distant and adverse legislation. It is a parallel of the fable of the fox and the crane. The shallow dish is there, but the crane is unable to partake of the food. Should the Mother-country in the contemplated changes, fix the Governor-General of Australasia at Port Phillip, the crane will find out how many of the Sydney foxes will find it convenient to attend a council at Melbourne.

That the absentee legislature of the Colony is adverse to the interest of Port Phillip let the past session show. Have not all her claims been received there with ungenerous apathy? Her complaints drowned in shouts of derision? Have not her demands been met with the absurd reply that she has got all she has asked for; and the unjust one that she has got more than she has a right to? Has not an audacious effort been made to swamp her by a disproportionate increase of Representatives for the Sydney District?

The Legislative Council has remonstrated with justice against the appropriation of the money of the Treasury of New South Wales, to the expenses of police and jails required by the expatriated convicts of Great Britian, instead of having those funds to effect the internal improvements of the Colony. The complaint is just, and Port Phillip has supported her claims; but is it unreasonable that Port Phillip should make the same remonstrance? That she should complain that her funds are abstracted for the disbursements of the distant provinces of Sydney? Sydney had a recompense in the labor of British convicts and the money of the British Commissariat. Port Phillip is charged by Sydney for those very convicts which Sydney had been paid for by Britain.

The people of Sydney perceive the absurdity of a Governor being subject to a ruler in London, and demand a Responsible Local Government. Is it not doubly absurd, an aggravated hardship, that Port Phillip is subjected to the Governor at Sydney, ruled by the delegate of a delegate?

We are told however, that the force of public opinion compensates Port Phillip for this reverberated Government by deputy. Why then is not public opinion sufficient for Sydney? But it is vain to talk of the force of public opinion on a question like this. There are local eddies, indeed, extensive and powerful enough; but the current of public opinion through the length and breadth of the Colony is miserably slow. We have neither railroads nor canals, nor the innumerable Presses of Europe and America. A few extracts of news occasionally find their way from the Port Phillip journals into those of Sydney; but for any information of the living tide of affairs, of the expression of public opinions on public matters, of the wrongs and claims, of the actual condition and of the interests of Port Phillip, of all that vivid and active impression which constitutes the moral power of public opinion, the inhabitants of Sydney are as destitute as they are of those of the Colonists of the Cape of Good Hope.

Did our fellow Colonists at Sydney know that thousands upon thousands of Port Phillip wealth, the thews and sinews of Port Phillip's prosperity, are devoured by the insatiable maw of the Sydney Treasury: that the wealth of Port Phillip, faster than it can accumulate, is abstracted to be spent in Sydney, they would naturally inquire, can these things go on? Can Port Phillip be impoverished and Sydney flourish? Can ruin overwhelm Port Phillip without a crash in Sydney? Is it better for the unemployed artizans of Sydney that Port Phillip money should be appropriated to the salaried officials of the Sydney District, or that the surplus monies should be expended in the construction of the public works and buildings of Port Phillip, which would give employment to the starving operatives of Sydney? In a word, is it better to have a needy partner or a wealthy customer?

The people of Sydney have enjoyed the Revenues of Port Phillip; the Representatives of Sydney have received the unqualified support of Port Phillip. Have they given Port Phillip any recompense, have they done us justice, have they even professed any gratitude? Can they contemplate the incessant draining of Port Phillip without alarm for the result? Can they reflect with complacency on their junction with a Province whose every recollection is of ingratitude, every interest adverse: a province united without sympathy, subsidiary without equivalent, tributary without protection; with commerce fettered, wealth abstracted, opinion hostile?

The people of Port Phillip, convinced that all their other good is comprised in one word—that word SEPARATION—have lost all hope in Sydney. They view with indignation the contempt of their wrongs, the swamping of their influence, the denial of justice; they will arise as one man, determined to achieve at all hazards, at all sacrifices, the Colonial independence of their Province. Lured by future patronage, deceived by ambition, warped by interest, blinded by prejudice, the Sydney leaders may, as they do, oppose them; but secure in the justice of their cause, in the rectitude of their intentions, in the unity of their exertions, the people of Port Phillip, too often disappointed and too long delayed, will assuredly extort a concession, which might and should have been a gift.

Melbourne, Dec. 28, 184. G.

BANK OF AUSTRALIA SHARES BILL.

"The gretest clerks ben not the wisest men."
Chaucer's Reve's Tale.

Mr. Atlas,—His Excellency the Governor, acting under the advice of the Attorney and Solicitor General has virtually rejected "The Bank of Australia Shares Bill." The consequence which must ensue, not only to the miserable Shareholders in that Bank, but, directly or indirectly to the whole of this Colony (long ere the Royal Assent to the measure can be signified) are so obviously momentous, that I am induced to offer through the medium of your columns, a few remarks upon the most unfortunate conclusion to which the apparently laborious investigation of these learned gentlemen hath led them. The opinion, or more properly the compilation in question appears to have been written solely *"ad captandum vulgus."* But while the unlearned reader submits at once to his fate, awed by the immense length and apparent erudition of this remarkable document, the lawyer, less docile, finds strong reason for suspecting, that it is to the paste pot and scissors of the learned compilers, rather than to the oil of their midnight lamp that we are indebted for its production. Nevertheless this in itself forms not the ground of objection. Research is laudable; precedent satisfactory; compilation worthy to be praised. The objection to their opinion is this; that it is like the Play of Hamlet, with the part of Hamlet omitted by particular desire—that the learned framers have collected all the law on the subject *except* that appli-

cable to this particular case. In order to explain this matter to the uninitiated, they must be told that there are certain books called "Digests of the Statutes;" in which, the statutes are arranged and abridged under various heads; and in one of these, under the letter G. may be found a summary of the Law relating to Lotteries, which in its method, language and '*lucidus ordo*' affords a by no means bad imitation of that which forms the great body of the opinion of the advisers of the Crown in this Colony. But it does appear somewhat strange, that the only clause which really bears upon the subject should have entirely escaped the acumen of these learned persons, and is only to be accounted for on the supposition of a most culpable defect in *the* Digest, from which their opinion has been taken. The clause alluded to is as follows, being the 11th of the Act, 12 Geo. 2nd, c. 28. "Provided always and it is hereby further enacted and declared, that nothing herein contained shall extend or be any ways construed, deemed, or taken to extend; or, in any sort to affect or prejudice any estate or interest in, out of, or to any manors, honours, royalties, lands, tenements, advowsons, presentations, rents, services, and hereditaments whatsoever, which shall, or may at any time or times hereafter be according to the Laws, now in being legally allotted to or held by, or by means of any allotment, or partition by lots; but that all persons who now are or that shall hereafter become *really and truly seised as part owners, joint tenants, and tenants in common*, of any manors, honours, royalties, lands, tenements, avowsons, presentations, rents, services and hereditaments, shall, and he, she, and they, and his, her and their heirs and ASSIGNS, is and are hereby made and continued capable to accept and take such estates and interest and parts therein in such and the like manner, and to such and the like uses as he, she. or they might, would, or could have done by or by virtue; or, in consequence of any lot, scroll, chance, or allotment whatsoever; had this present Act never been made anything herein contained to the contrary thereof notwithstanding." Was this clause so wholly unimportant, so altogether alien to the matter in question as not to merit even a place in that tedious and useless summary of the Law of Lottery, with which these great legal functionaries have favored His Excellency and the public? Would it not have been more satisfactory to all parties if they had at least found time to give us an opinion as to its effect? Four mortal columns of closely printed type do these learned gentlemen occupy with their unskilfully plagiarized summary of the enactments against Gaming-Lotteries and Little-Goes; and after this merciless stripping of the tree of knowledge, at last comes the opinion; the "one poor halfpenny-worth of bread to this intolerable deal of sack." And what is it? that Lotteries are illegal! that Shove-halfpenny is an abomination!! That Little-Goes are contrary to Law!!! And who disputed it? Every Beadle knows as much. The point at issue is this—*Is the measure proposed to be authorised by this Bill a Lottery or not?* Who asked for an opinion as to the legality of Lotteries? We needed not one come from the dead to tell us that they are unlawful. The opinion of these learned gentlemen reminds one of the truisms uttered by the man in the song, who tells us

> "Ham sandwiches are not made of tin,
> They don't feed cows on apple tarts."

How much more profitable would it have been had they spared their extracts from the Digest, and in three words stated that Lotteries are illegal; and then proceeded to inform us in what respect the present Bill is a Bill to authorize a Lottery. Perhaps after all, there is some mistake, for the Bill proposed on behalf of the Bank, and as to the Legality of which an opinion was requested is styled "*The Bank of Australia* SHARES *Bill.*" And it appears that the opinion of the learned gentleman relates to some Bill styled "The Bank of Australia LOTTERY Bill." Surely they must have read, at least, the style of the Bill before they gave judgment on a question affecting the fortunes—nay, the means of existence, of thousands.

Do our learned friends mean to deny that it is lawful for joint owners of property to divide their property into shares to be chosen by lot? Will they assert that this is not daily done by the direction of the judges, or that the method of division directed by this Bill is not precisely that pointed out in the books of Chancery Practice?

The clause to enable the shareholders to sell their shares was altogether unnecessary, and therefore merely surplusage, for there is no law which can prevent their so doing, and it is a matter of every day occurrence.

The only clause which could at all give the bill a semblance of a Lottery Bill, is the power to enable the Directors to sell to the public the shares of members who do not pay up their calls, and even this is a clause which every articled clerk knows is inserted in every joint stock company's deed of settlement or private Act of Parliament, and therefore cannot well be illegal. In short, there is not one clause in the Act which is illegal, and I challenge the learned gentlemen *to point out* such a clause. That which it was proposed to do by this Act can be done, and is daily done, under the direction of a Judge in Equity, by means of a Bill for a Partition in Equity. How, then, can it be illegal?

It may be said, Then why seek the aid of the Legislature? The answer is, Because some of the members of the Bank are absent from the Colony, and others infants, whose interests cannot be bound unless by an Act of the Legislature, and Acts of this description are frequently obtained in England, where it is the interests of joint owners that a division should be made where some of them are infants, married women, or lunatics.

In conclusion, let me humbly suggest that these worthy pillars of the law would do well to *re-digest* their opinion, inasmuch as it would, I imagine, by no means tend to increase the confidence of the Head of the Executive in the infallibility of their future opinions, should the Shareholders of the Bank correct the obliquity of their legal vision, by effecting, through the medium of the Supreme Court of this Colony, that which the Attorney and Solicitor General so positively declare to be illegal.

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EUROPE.

THE *Columbian* and the *Victor* have brought us European journals to the 19th of September—only two days later than those received by the *Persian*. We are again happy to record the zeal with which the state of New South Wales was discussed by the leading English journals. The Squatting Movement continued to excite the warmest interest in every circle, and the actual position of the Stockholders was beginning to be thoroughly understood in London. The following able article on the subject, appears in the *Sun*, of September the 14th:—

THE SQUATTERS OF NEW SOUTH WALES.

It has long been our unpleasant duty to demonstrate, from time to time, the vicious administration of our Colonial government. In speaking of Colonial government, we allude to that course of policy, in its largest sense, which the Ministers of the British Crown originate here—In the exercise of the imperial authority of the Sovereign over the affairs of Her Majesty's Colonial possessions and dominions;—or which is implied in their sanction to the acts of her servants in authority over them, or the Local Houses of Assembly, Legislative Councils, &c. Very recently we endeavoured to illustrate the vital importance of our colonies to the greatness, commercial and political, of this country; and to enforce the gravity of England's responsibility to human civilization, as well as to her own fame and destinies, in respect of the sacred charge devolved upon her with this immense and scattered empire in each quarter of the globe. We did not anticipate so early an occasion for referring to the subject, as that which is not only presented, but irresistably pressed upon us, by the contents of the last Sydney papers, coming down to the 1st of May, that reached us the day before yesterday. From these it appears, that on the the 24th of April last, a meeting was held at Goulburn, New South Wales, "to take into consideration the 'Squatting Regulations,' lately promulgated by His Excellency the Governor." (Sir G. Gipps). NEVER. SO FAR AS WE HAVE YET HAD THE MEANS OF FORMING A JUDGMENT ON THE MATTER, WAS A CODE DEVISED OF DISABLING *Ex post facto* "REGULATIONS" MORE UNWISE, MORE IMPOLITIC, MORE ARBITRARY IN THEMSELVES, OR BETTER CALCULATED TO RUIN THE COUNTRY FOR WHICH THEY ARE INTENDED, IN THEIR OPERATION. Our readers will not be misled by their knowledge of what is intended by the term "Squatters" in the forests of Canada, and on the prairies of the United States or of Texas, as to the construction it bears in New Holland. We will venture to distinguish between these two sets of occupiers, in order that we may do justice, in the first place, to those who are the subjects of Sir George Gipps's scheme of license fines, &c., in New South Wales.

In America a "Squatter" is synonymous with any individual of desperate fortunes and sufficient personal energy to bear with the privations, the perils, and the loneliness of the wilderness; who, betaking himself to some remote locality, far beyond the line of occupied districts and reclaimed land, settles, or "squats" upon some spot which he selects—without distressing himself, in the remotest degree, about any present rights or title, or any contingencies of future sale and transfer on the part of the State, of private owners, purchasers or buyers. He fells the timber; he builds his log-hut; he clears the ground, sows his crop of grain; he provides for the demands of subsistence and shelter, as best he may, with his rifle and his axe; and if some fine day, an emigrant purchaser of the "lot" within which the squatter has made good his location come to take possession of it, he not unfrequntly finds that desperate men settle titles—and competing claimants—with the bowie knife or a bullet. The American Squatter is generally a man of fierce nature and determined habits; lawless, reckless, and vindictive; and, not being delicate about the means, he usually manages, either by a dogged resistance to weary out the new claimant, or to dispatch him. It is not often that justice can vindicate her Majesty against such delinquents. If pursuit should ever grow hot, the guilty squatter only pushes further into the savage wilderness; and the clamour of human voices, even—much more the feeble whispers of human law—are soon lost in the forest, and behind the rocks and the rivers, the lakes and the ravines, which his silent flight has interposed between him and his fellows. This man's existence, it is indisputable, is purely a selfish one. He is not the auxiliary of civilization and her benign influences, but their fellest enemy. He is not a champion of society, but a traitor to its rights, and a destroyer of his species. Now, New Holland comprises a superficial area so vast as to entitle it to take rank as the fifth grand divison of the land of our globe. It is thinly peopled—to a degree, indeed, almost incredible. Its interior is, for the most part, a grassy desert, here and there well wooded and finely watered; but in other regions, ridges of lofty mountains and difficult ascent intersect the country—and vast rivers of still uncertain origin, but subject to frequent and capricious overflowings, suddenly inundate the level and enormous plains, through which they run, to an extent of many scores of miles, and render the escape or temporary shelter of men or animals from these boundless "steppes," a work of inconceivable difficulty and danger. It is throughout the length and breadth of this mighty land that the incalculable flocks of sheep are depastured, whose fleeces form the "wool bales,"—the only available article of export on which the colony has to depend for the maintenance of its white population. This wool has now attained in Europe—especially in the English market—the reputation of the highest quality that can be procured; so that the Colony exports to the Mother-country nearly £1,000,000 worth of this commodity every year. But, in order to raise and maintain the requisite number of sheep, and to provide them with such ample "runs" as are necessary to keep up the quality of their fleeces, it is indispensible to extend and change their pastures. The growing numbers ot the flocks demand incessant removals, and the discovery of new grazing lands (allowing range sufficiently wide to prevent the confusion of those flocks, or of the numerous herds of cattle which the settlers also raise). And who are the men who traverse this enormous, this difficult and dangerous country, in every direction—driving these herds and flocks from exhausted or over-crowded pastures to others yet untried, far away in the heart and solitudes of a region extending, almost as well in breadth as in length, 2000 miles?—THE SQUATTERS. But let no less eminent authorities than Mr. Macarthur (the son of that John Macarthur, who must ever be considered as the father of the pastoral greatness of New South Wales), and Dr. Murphy, one of its most intelligent European residents, describe them:—"Do they not, by their enterprise, exertions, and labour, coutribute to the resources of the colony, improving the wilds, clearing the way for civilisation, making valuable the Crown Lands by their roads and improvements. Is this no contribution! And is there to be no consideration of the hardships, perils, and privations, endured by this much-maligned class in effecting these objects: no encouragement to those whom his Excellency has well said were the mainstay of the Colony, and of the most vital importance?"

But then His Excellency said this in 1842. In 1844, under instructions from the Colonial Office, and taking for guide, as Mr. Macarthur* phrases it, "amid the wilderness of Australia, the visionary theorists of the Wakefield school of colonization, instead of experienced and practical colonists"—His Excellency no longer endeavours to lay before the Secretary of the Colonies some just views of the squatting interest in New South Wales, as contra-distinguished with that system in America, as respects the respectable and wealthy men engaged in it, the vast amount of property possessed by them, and the vital importance they were to the colony and the British interests generally.

Under a pretence that the sales of "Crown lands"—that is, the unappropriated enormous waste—"are obviously prevented through the squatting system," and that the "squatters contribute nothing towards defraying the colonial expenditure," the Governor (by perhaps an unconstitutional—certainly a very cruel—exercise of his authority) promulgates "Regulations," requiring that the sum of £10 should be paid for a license by the owner of 1000 sheep or of 50,000, or 400 head of cattle or 4,000. How this fiscal novelty will operate was thus shown by Dr. Murphy, after he had indignantly disproved the allegation of the Squatter's not "contributing," in the largest and most efficient sense of the term, to the Colonial revenue, by the roads they mads, the soil they cleared, &c., &c.:—a license will not cover more than 4,000 sheep, or 500 head of cattle; so that any person having more than his number upon a station, no matter how large or how small the station may be, will have to pay at the rate of £2 10s. for every 1,000 sheep over 4,000, and £2 for every 100 head of cattle over 500. Nay, he will have to pay £10 for even an additional sheep Now, what 'droit' of the Crown is this? This is no land tribute, no rent or fee for Crown leases or licenses. This is an impost upon a man's property; a levy upon every one who increases his stock beyond 4000 sheep or 500 head of cattle. This may as well be enforced within the boundaries as without, and he recommended it to His Excellency's consideration; it would be a notable expedient to pay off the old, and promising to pay off the new debentures. But what authority has his Excellency to make an impost like this, to place a fresh assessment upon stock; for it is clearly not intended as a rent or a fee for the use of the land?"

We are at a loss to imagine how Lord Stanley or Sir George Gipps can thus trifle with the advancing prosperity of one of the noblest colonies ever acquired by Great Britain, or the equitable rights of a body of men, assuredly among the most intrepid, useful, and meritorious, who ever put themselves at the head of a young country's advance in pastoral civilisation and commercial opulence. On another opportunity we may revert to this subject, and to the discussion of Mr. Macarthur's deprecation of the dangerous tendency of the "much vaunted" colonial land system of Wakefield, as adopted into the legislation of Lord Stanley.

* Our London friends will be somewhat puzzled to account for the change which has lately come o'er Mr. Macarthur's dream. How he is to make them reconcile the various patriotic bursts in his famous speech at the Camden Meeting in May last, with the childish absurdities lately promulgated by himself and his brother we do not know. Mr James Macarthur, at that meeting, likened Sir George Gipps to "the *wise* physician, who, in a case where topical bleeding might, perhaps, be necessary, thinks proper to open an artery, *and so reduce the patient to paralysis, and peradventure to death!*" Now we, ourselves, took some little pains to get that speech re-published in London. It has been re-published. We shall take similar pains to place our correspondents in possession of the sentiments which this vacillating statesman now entertains, namely, that "if a successful stand is to be made to maintain the true interests of the Colony against the *Oligarchical principles now in the ascendant!!!* the people must shake off their apathy. It is only by the bold and open avowal, on their part, of truly loyal and constitutional sentiments—by a marked discountenance of opposite opinions, language, and conduct in their representatives—and by the reprobation of that shuffling evasive policy which, seeming to alternate between two extremes, in reality upholds selfish and anti-English objects—that the character of our Legislative body can be raised, the redress of *real* grievances be obtained, and the general welfare promoted!!!" We are inclined to think that, as the Ojibbeway and Ioway Indians have had their day in London, *our* "great mystery," the Camden Conjurer, would make a rich harvest by exhibiting himself to the curious in that City of Sights.—ED. ATLAS.

ENGLAND'S COMMERCIAL CONNEXION WITH HER COLONIES.

FROM a very able paper, on the Advantages of Commerce and Manufactures, which has been recently published by our cotemporary the London ATLAS, we take the following remarks, which will be read with particular interest at this moment:—

"One of the most remarkable proofs of the better information which prevails in the present day, on that important branch of political economy which treats of commercial relations, is the altered opinion which statesmen now entertain on the subject of the value of reciprocity treaties. In scientific inventions, the attainment of simplicity of construction, strange as it may appear, is usually the best evidence of real improvement. The same rule obtains in the science of political economy. Much complexity is discarded in proportion as the subject is more generally understood. In the ordinary relations of life, the operations of sale and purchase, supply and demand, are effected without the necessity for long and complicated stipulations or "treaties." A treaty which is difficult in negotiation, usually implies the determination of one party to obtain more than a just and fair equivalent for that which it proposes to concede. It may safely be asserted that in any treaty of commerce, mere finesse could rarely, if ever, obtain *permanent* advantages of much value, while obstinacy in insisting on them may and has prevented the completion of treaties beneficial to both of the nations interested. These views are greatly at variance with the boasted value of diplomacy and the pompous mysteries of the red-tape school, but they are gaining ground, and have the sanction of great authority. At the recent agricultural dinner at Northampton, Earl Spencer said, 'I place little value on reciprocity treaties.' This subject was ably discussed in the last session of Parliament by Lord Howick and Mr. Ricardo, and their speeches well deserve perusal. In the present session another attempt has been made by Mr. Ricardo to explode the apparently inveterate attachment to reciprocity treaties, by moving an address to the Queen for 'direction to her servants not to enter into any negotiation with foreign powers which would make any contemplated alterations of the tariffs of the United Kingdom contingent to the alteration of tariffs of other countries; it being the opinion of this House that the great object of relieving the commercial intercourse between this country and foreign nations from all injurious restrictions will be best promoted by regulating our own customs' duties as may be most suitable to the financial and commercial interests of this country, without reference to the amount of duties which foreign powers may think it expedient for their own interests to levy on British goods."

"These resolutions were poposed by Mr. Ricardo in a very able and lucid speech, in the course of which he pointed out the failure of our commercial treaties with Brazil, Portugal, Spain, and France, and the evident necessity for the adoption of an altered policy which should be the very reverse of the former. The motion was seconded by Mr. Ewart, who dwelt on our want of success in effecting any reciprocity treaty with America. A reply was attempted by Mr. Gladstone, which to a great extent admitted the truth of the principle embodied in the resolution. Lord Howick supported the motion with much ability; and we cannot refrain from making the following extract from his speech:—'Those who contrast the language of the leaders of party with the acts of the Government cannot fail to be struck with this

[For continuation of European Intelligence see page 82.]