

the country; cripples our ability to provide adequately for the education of the people; and annuls the possibility of all ameliorations in our condition, whether moral, social, or physical. We have furnished a concise statement of the case. We have shown the reasons which existed for the pursuance of an opposite policy, and have adverted to the sense entertained by the Home Government of the cogency of these reasons, *previously to the arrival of Sir George Gipps*. We have rebutted the arguments alleged in the old Council by that Governor in favour of saddling the Colony with the whole of the Police and Gaol expenses, and we have noticed his endeavours to gain credit in Downing-street by *permanently* fixing upon the Colony, by statute, *all* these liabilities, with a trifling exception. It remains that we inquire, as briefly as possible, whether the remedial course adopted by the Council in its last session, is expedient and wise.

When the General Grievance Committee was sitting, our English readers, and Mr. Scott in particular, must by this time be aware that, amongst other matters, this important subject came under its mature consideration. Amongst sundry evidence which it proceeded to examine, was an able and cogent project, framed by one of the Members for Port Phillip (Mr. Robinson), and embodied in the shape of a proposed address to the Sovereign. This document concisely set forth, upon grounds the soundness of which we have already seen, the following scheme:

That according to the Estimates for 1845, laid before the Council, it will be requisite to raise, from the General Revenue and Municipal Assessments, the sum of £96,741 7s. 6d. for Police, Gaols, Building of Gaols, &c., being in a ratio of 12s. per head on the population of the Colony, 165,541; whereas the whole expense of the Government of the Canadas does not exceed 7s. per head; and were a ratio similar to that existing in New South Wales, necessary for the United Kingdom, a sum not less than £16,200,000 would be required for these purposes.

That for the eight years, ending on the 31st December, 1843, a sum of £839,800 7s. 7d. was paid by the Colony for those services.

That the number of persons who have arrived free, or have been born in the Colony, bear a proportion to those who have arrived as convicts, of 39 to 72; and that, as a matter of equity, instead of the Colony being subjected to the payment of this enormous sum, it should not be called upon for more than £33,990 5s. 7d., whilst the Home Government is justly chargeable with the balance of £62,751 1s. 11d.

That of the amount of £839,800 7s. 7d. already paid by the Colony, only £295,064 6s. 3d. is its fair proportion: and that the balance of £544,736 1s. 4d. is due to it by the Home Government.

That the necessity of providing the large amount, already alluded to, is severely felt by the inhabitants of this Colony; and they are thereby prevented from taking any effectual steps towards arresting the perpetuity of crime, by making an adequate provision for the education of the children of the Colony, the expense of which would be far greater, in proportion, than in England, from the scattered state of its population.

That they are thereby prevented from establishing a cheap and uniform rate of postage, and increasing the facilities of correspondence, which have been attended with so highly beneficial results in the Mother-country.

That they are thereby prevented from appropriating any sum for the making or repairing of roads or bridges, or for other works indispensably necessary for the development of the resources of any new country, but more particularly of a Colony like this, which is nearly devoid of any facility for Inland Navigation.

That the raising of the sum in question is now felt to be the more burdensome in consequence of the stoppage of transportation; and the expenditure of the Home Government, for military and convict purposes, having fallen off from £300,058 2s. 3d. in 1839, to £170,072 17s. 5d. in 1843.

That the experiment of imposing a similar charge on the Colony for like purposes in Van Diemen's Land has totally failed; one third of the local expenditure of that Colony being now, of necessity, defrayed from the Military Chest.

And that Her Majesty be therefore humbly requested to recommend to Parliament that the amount of £544,736 1s. 4d., being arrears due to the Colony, and the sum of £62,751 1s. 11d. per annum, being the due portion of the expense entailed by the presence of a convict population in the Colony, be defrayed by the Home Government. Or, should Her Majesty deem it more desirable, upon taking into her gracious consideration the fact that 59,788 convicts transported to the Colony, and also the present exigencies of both countries, in the one of which upwards of 4,000,000 of its population are subsisting on private and public charities; and in the other, hundreds of cattle are daily destroyed for the mere hides and tallow; it would, in the opinion of this Council be of equivalent advantage to this Colony that the like number of 59,788 Free Emigrants be sent out at the expense of the Home Government within the next five years, and the Colony through their consumption of taxable commodities, be reimbursed in the sum annually due to it amounting to £62,751 1s. 11d. as hereinbefore expressed, which measure would likewise tend largely to increase the prosperity of the Colony, and the Exports of the United Kingdom.

The demand here made may appear large, looking at the figures, and may be at first sight regarded as excessive, as respects the alternative for non-payment in money, namely, the introduction at the expense of the Imperial Government of 59,718 emigrants; but it must be borne in mind, that the data upon which the proposition is founded will bear the test of the most rigorous and common sense inquiry. The extensive nature of the claim simply arises from the circumstance of large arrears having accumulated. No one can deny the fact of £839,800 having been alienated from the Local Revenue, and that of that sum £544,736 was devoted to liabilities strictly and absolutely Imperial. No one can doubt that this expenditure has been drawn from the Colony in consequence of the importation of 59,000 convicts. It cannot be a matter of surprise then—nay, it must be looked upon as a moderate requisition, a requisition which would benefit Great Britain equally with ourselves, that we should have as many emigrants sent to us within the next five years as would numerically equal the convicts whose debarkation has, especially bearing in mind the decay and abolition of the assignment system since 1836, cost us so dear. We look, therefore, upon Mr. Robinson's plan, as a wise, moderate, just, and beneficial proposal, a proposal which would bring advantage to both parties, and which, adverting to the justice of the case, would, on terms most favorable to England, liquidate the claim which we urge against the Imperial Government.

The Grievance Committee has accordingly adopted, in the main, the views of Mr. Robinson, balancing the account current of the Colony with the British Treasury up to the 31st of December, 1844, and showing, upon the above-stated principles, the arrears due to be as follows:

For Police and Gaols .....	£655,138
For Judicial Expenditure .....	137,895
	£793,033

being money actually disbursed by the Colony for the custody and control of convicts since the year 1836: and computing the future annual contribution from time to time due from the Imperial Treasury, taking the Estimates for 1845 as a standard, to be

For Police and Gaols .....	£58,329
For Judicial Expenditure .....	15,865
	£74,194

There cannot, we imagine, be two opinions as to the cause which the Legislative Council has, in preferring these claims to the Imperial Government, and in causing them to be transmitted to England through the proper official channel, thought it right to pursue. That cause is both expedient and wise—nay, it is the only cause which, *in the present position of the case*, it was desirable to adopt. In the presentation of this claim, the House has, moderately and constitutionally, sought redress for an enormous and long standing injury. We now pause in order to hear whether any attention will be accorded to our unanimous prayers. Despite the heartless hostility of Sir George Gipps, of the natural unwillingness of "My Lords" to undraw the pursestrings of the Treasury, despite of the misrepresentations which have been industriously drawn round this subject, and the sinister advices by which a clear and honorable claim has been prejudiced, we yet firmly rely upon the good faith of a high-minded Government, when that Government has come to be set right as regards the facts of the case at issue. Nor do we, in this momentous matter, place a slight reliance upon the talents, the assiduity and the influence of the honorable member for Roxburghshire. If, by his ability and perseverance, Mr. Scott shall have been enabled to adjust this business, so nearly affecting our welfare, upon equitable and beneficial terms, he will be entitled to the full confidence, and may claim the warmest gratitude of a whole community. He will have conferred an enduring benefit upon a Colony, certainly not the least important dependency of the British Crown.

#### THE WHARFINGERS, THE GOVERNOR, AND THE COUNCIL.

It is the pleasure of those who have no other means of discrediting this paper, and who fear it too much to do it justice, to represent it as the mere servile organ of the opposition in the Council, without eyes to see except as they see, or mind to think except as they think. Behind this happy imputation did our friend the *Morning Herald* shelter itself, when our lance had pierced through six of the coverings of the seven-fold shield of lard, tallow, wool, hides, salted meat, and gelatine, wherewith, like another Ajax, our unwieldy cotemporary defends himself from the darts of satire and argument. Now we are the friend of the Council, so far as it is right, and because it is right, and only so far opposed to the Governor as he is wrong, and because he is wrong. This will appear from the present article. The case we are about to state to our readers is one in which both Council and Governor lent themselves to a gross violation of private rights, in utter disregard, as it appears to us, of every principle of financial policy. This case, our independent friend the *Herald* has, though often requested, sedulously excluded from his columns: thus evincing in a remarkable manner the falsehood of the vapouring pretensions to impartiality, intrepidity, and fair play to all parties with which it met the well merited strictures of the ATLAS.

The cause is a good one, and shall not fall to the ground for want of an advocate. Nothing would probably astonish a stranger arriving at Sydney from the old world more than the enormous number of spacious and well constructed wharves, which line the sides of the rocky peninsula upon which it is built. It is calculated that not less than a quarter of a million of money has been expended in this manner, beneficially no doubt to the Wharfinger, but equally, or even more so, to the settler, upon whom must have fallen ultimately, the price of conveying the goods which he consumes in lighters from the ship to the shore. Government all this time was the proprietor only of the Queen's Wharf, whose water frontage is too shallow to admit the approach of heavy ships. During the first half century, therefore, of the Colony, Government did nothing to promote the facility of landing goods, except granting land to persons on condition that they should erect wharves on it. But though it did not sow, it was determined to reap. Under the threat of withdrawing the sufferance, or license to land goods, from the private Wharfingers, it extorted from them under the specious name of wharfage, a tribute upon each package of one-third of the rate which would have been payable on it had it been landed at the Queen's Wharf.

This exaction, after continuing for many years without even the pretence of a legal sanction, was ultimately legalized by a clause smuggled in by way of proviso to the 14th section of the 7th Victoria, No. 12. In the meanwhile, the Government, considering that it did not make enough out of the Wharfingers by taking a third of their gross profits, began to think of setting up in business for itself. As we have shown in a former article that it is apt to forget the Ruler in the Land-jobber, so in this instance it merged the Land-jobber in the Wharfinger. In other words, it built the Circular Quay, instead of putting up those allotments to public competition, and leaving the purchasers to build wharves on them. While the revenue has been declining from year to year, it has spent large sums of the public money—while the roads and bridges have become impassable for want of repair, it has squandered its last treasure of convict labour in making a wharf of which it is itself to remain the proprietor. And now that the Quay is completed, now that the money has been spent, and the labour squandered, the discovery is made that Government, with all its advantages is unable to compete with private tradesmen. If Sir George was determined to go into business himself, he ought to have remitted the tribute to his competitors, and started his wharf fairly in opposition to theirs.

Hard as would have been the case to the private Wharfinger, improper as it was in Government to enter into a private speculation, it could not be expected that it should sit down with the loss of the capital invested. The Circular Quay ought never to have been made, but being made it must be worked. But the course which has been taken is far different. A Bill has passed the Council and received the Governor's assent, by which the tribute of one third is continued, while the sum payable to Government on each package landed on the Circular Quay, or Queen's Wharf, is reduced to two thirds of its present amount. The effect of this is, that Government by its competition reduces the receipt of the private Wharfinger from one shilling to eight pence per package, and out of that eight-pence takes fourpence by way of tax or legalized tribute. Thus is one half of the gross proceeds of the Wharfinger's capital taken from him, and this not with a view to the revenue, but to protect the Government trading interests against those of its subjects. These proceedings contain in a small compass a great deal of tyranny and injustice. We have the Government coming forward in the first instance as a bare-faced extortioner, taking the money of its subjects without the pretence of any legal sanction. We next find it endeavouring to cure this defect by a tricky proviso, which seems rather to imply, from its wording, the remitting, than the imposing a task. We next find it figuring in the character of a Wharfinger itself, and misappropriating the money which it receives to carry on the duties of Government, properly so called, for the purposes of a trading speculation, and one so ill contrived, that it admits itself unable to enter into fair and equal competition with other tradesmen—takes to itself one half the proceeds of their capital, with a view to prevent them from underselling it, and threatens, if that is not sufficient, to take more. We admit in this matter, Government was only acting in the character which it has maintained throughout, that of a systematic enemy to property; but the Council had no such odious consistency to support. To their honor they have stood forth to defend property again and again from the confiscations of Government, but in this instance they appear to us to have forgotten alike their previous rule of conduct and the principle of sound policy, and to have lent themselves as a tool to a Government which never seems so happy as when it is making some one or other miserable. Surely the Council should have seen that those who have been induced by the granting of land under that express condition to build wharves, or, who had received for a number of years permission from the Government to land goods, had acquired a vested interest against that Government in its trading capacity. Although these Wharfingers were few and weak, they were, nevertheless, entitled to be dealt with according to policy and justice, and those who are such zealous advocates of the interest of the licensed graziers might have remembered that a sufferance confers a tenure of a very similar nature.

To do the Council justice, however, the question does not seem to have been fully understood by several speakers. Some of them evidently thought that if a uniform duty were imposed on every package wherever landed, this would fall on the Wharfinger, whereas, in reality, to the Wharfinger such a duty would be precisely equivalent to no duty at all, and would be borne entirely by the consumer. If Government for instance, were to impose a uniform duty on packages wherever landed, and to let the Circular Quay to the highest bidder, the private Wharfingers would only be exposed to a legitimate competition. What they complain of is, that they are doubly injured by Government, which diminishes the gross proceeds of their capital by its competition, and then takes one half the remainder by way of tax. These things the Council overlooked, and our Free-trading Governor had no reluctance in giving his assent to a measure contrary to every doctrine of Political Economy: content, so long as it possessed the countervailing advantages of forming a precedent for future injustice, increasing of the Revenue, and depressing private enterprise.

We confidently anticipate the rejection of this Bill by the Home Authorities, not so much on account of its intrinsic injustice and impolicy, for our Statute Book is rich in examples that these are no objections to Colonial Acts, as from the fact that English interests are compromised by this measure, which can and will make themselves heard at the Colonial Office.

We shall rejoice to hear that the Bill has been negatived, even though its rejection carry with it from the higher powers (for Lord Stanley will hear of this) a severe and well merited censure of the conduct of the Council.

As for Sir George let him stick to Gundagai. There at least he is safe.

#### DISTRICT COUNCILS.—THREATENED CONFISCATION.

TYRANNY is never so odious, so oppressive, or so enduring, as when sanctioned by forms that purport to be Legal, as when invested with Constitutional attributes. The decree of an imperial despot may strike a whole people with terror or despair, and may produce mischief of the most exaggerated kind. These however will be but short lived,—the evil will soon be annihilated by the universal resentment it has roused. The mischief of despotism is generally brief in proportion to its intensity; and the sovereign who professes to rule by absolute and indefeasible right is often more strictly amenable to public opinion than one whose functions and prerogative are presumed to be limited and controlled by Constitutional checks and usages.

Applying the parallel thus afforded to our own condition, we would say, that the oppression now attempted to be practised under the sanction of an Act of Parliament, is more intolerable in its kind, and inspires us with a feeling of more lasting despair, than any measure however monstrous, that might only be regarded as expressing the *single* will of a *single* despot. We look upon the Imperial Act constituting District Councils as a subject pregnant with cause for deeper alarm than even the recent Squatting Regulations promulgated by Sir George Gipps. The former are attempted to be fastened upon us under a color and pretext to which the latter have no claim. After the whole system and machinery of District Councils had been pronounced by the Colony as utterly impracticable, we find provisions for enforcing them smuggled

into an Act of Parliament. Backed by this authority, the Governor again and again endeavours to force upon the Colony the acceptance of these odious and atrocious Councils. In vain is he told that they are founded on notions utterly Utopian—wholly unsuited to the character or circumstances of the Colony—that they are altogether insusceptible of practical application, or, that if applied, they must bring in their train ruin and confiscation. If there be one opinion in which the whole Colony is unanimous, it is this.

Twice have the Legislative Council deliberately branded the scheme propounded to it, as a measure fraught with wholesale spoliation, and implored the British Parliament to repeal so much of the Act 6th Victoria, as is connected with the establishment of District Councils. And yet in the teeth of these reiterated declarations on the part of the whole community, we find the Executive, with a degree of stubborn pertinacity that no reason, no remonstrance can bend, resolved to promote its tyrannical and iniquitous will. Wheedling—blustering—intimidation—have each and all been tried in succession, and tried in vain, as a means for producing acquiescence in its designs. With one or two exceptions, the Charters of Incorporation that have been issued to the different districts, have been allowed to remain a dead letter. The parties nominated to carry out their provisions have only consented to accept the offices conferred, with a view to counteract their malign influence—to render them innocuous and null, by abstaining from any attempt at carrying them out. Such we believed had been the sentiment that had actuated all those throughout the whole of the incorporated districts, who had submitted to the odium of having their names associated with the scheme. We find, however, to our astonishment, that in one instance, this is not the case. The exception to which we allude is that of the District Council of Grant. With a degree of boldness, proportioned as we conceive to their weakness, to call it by no harsher name, the gentlemen constituting this body have condescended to undertake that, which the common sense of all the rest of the Colony repudiates. They are willing to convert themselves into taxing machines—to make a voluntary immolation of, and to subject themselves to, an experiment of Sir George Gipps, for the edification and example of their fellow-colonists. Where angels fear to tread, the men of Grant rush boldly forward with a degree of insane precipitancy that is without a parallel. Putting on their gilded manacles forwarded to them from Government-house, they seem unconscious of their shame, and would appear to glory in their debasement. Like beggars who cover themselves with ghastly wounds, and hideous sores to excite the compassion of the benevolent; or rather like some religious fanatics of the middle ages, or some modern Indian Faqueers who were wont to inflict upon themselves public flagellations, and to practice other voluntary austerities of the most terrible kind for the sake of stimulating the piety and provoking the imitation of the faithful; so would it appear that the Warden and Councillors of Grant had resolved to offer themselves as executioners and victims—martyrs and confessors, in the cause of District Councils. We believe that our readers will scarcely credit the assertion that these gentlemen have enacted a series of Bye-laws, all of which have received the "exequatur" of Sir George Gipps, providing for the levying of rates on all property real or chattels. But in cases where the owners of unoccupied land shall not be resident within the District, it shall, after certain preliminaries, "be lawful for the Warden to issue his warrant, under his hand and seal of the council, to levy upon and sell such land, and the surplus, if any, remaining after the payment of such rate or rates, together with the costs and charges of advertising, levy, and sale, shall be paid over, when demanded, to the party or parties entitled thereto."

We scarcely can believe our eyes at this astounding notification. Here is an Act for confiscating land, the proprietor of which may remain in utter ignorance of the whole proceeding; it is true that the bye-law provides that notice of levy shall be affixed in some conspicuous place (one of the gum trees, we suppose!) The proprietor of the estate may, however, be a minor—may be in a remote part of the Colony, or absent from it altogether; yet he is to be disinherited—denuded of his estate; his property, is to be confiscated—when he is absent, helpless, and ignorant of his real position. We find no language that can express our abhorrence of such tyrannical and unheard of principles as are embodied in this law. One answer, and one only, may perhaps be attempted to be given in reply to these remarks. It may be alleged that as the nomination of the District Councils is vested in the inhabitants of each district—that a sufficient guarantee is afforded for the moderate exercise of the powers conferred—that District Councils are, in point of fact, a mere extension of the principle of Representative Government. This is untrue. We assert, and that fearlessly, that District Councils cannot, by their very constitution, represent the property of any district. A man has 10,000 sheep, and as many acres of land, the whole amount of which property in the right of voting, places him upon a perfect equality with the ex-convict publican, who rents a house of £20 a-year. The true working of the District Councils—if worked they ever can be—is the vesting the control of all the property of a district in the hands of those who have no property of their own. Had the elective franchise been *co-extensive* with the property it represents, then would the District Councils have been infinitely less objectionable in principle than they now are; like a board of parish overseers they might have exercised their obscure functions in the way less detrimental to the public. Their present Constitution and pretensions are, however, such as outrage common sense, and cannot be tolerated.

The fourth bye-law which the heroic Councillors of Grant have promulgated we will give in their own words. It is as follows:—

I. That provision be made for the above-named purposes by assessing and levying a rate of twelve-pence in the pound on the annual value of all lands and tenements, sheep, cattle, and horses, within the District of Grant (exclusive of the property of the Crown, and of stock depastured upon purchased lands), in accordance with the valuation of such property by the Assessors appointed by the Council, under the authority of Bye-law No. 1 of the said Council, such valuation being subject to appeal, as provided for in the said Bye-law No. 1.

II. That the said rate of twelve-pence in the pound shall become

due and payable on or before the 31st day of March, in the year eighteen hundred and forty-five.

The annual value of a sheep may be supposed to be fairly reckoned at 2s. 6d.—the annual assessment will therefore amount to 1½d. a head. How the ratio of the annual value of a horse, a pig, or a bullock is to be determined, we do not know.

Fellow Colonists! can you submit to legislation like this? Are not the sinister forebodings of those who denounced the whole scheme of District Councils as vile and tyrannical, fully borne out by the example thus brought before you, of folly and subserviency to the will of the Executive? For our own parts we think it fortunate for the rest of the Colony that such an example as that presented by the District Council of Grant should have arisen. It will demonstrate eloquently and emphatically the danger with which we are one and all threatened by being either soothed or bullied into an acquiescence with the sinister views of those who would impose upon us the intolerable yoke of the District Councils. If we are to be crushed, and compelled to abandon a country which we had once hoped to make our homes, and the homes of our children, let us not be parties to our own ruin, the direct cause of our own expatriation. Let us resist the evil as long and as energetically as we can; let every one disposed to countenance the adoption of District Councils, whether from weakness, vanity, or a corrupt preference of his own personal interests over those of the country, be regarded as its enemy. We believe that it will only be necessary to persevere for a short period in this declared opposition, that the whole of the provisions of the Act of Parliament relative to the establishment of District Councils will be swept away, as soon as the wishes of the Country are made known to the Home Government, as soon as our actual opinions, and wants and feelings, cease to be misrepresented by those amongst us to whom the Crown has, for a brief period, delegated its authority.

#### THE SQUATTING QUESTION.

As we commence, in this day's ATLAS, our promised examination of the great question between the Government and the Squatters, we think it necessary to reprint the following documents, which form so prominent a feature in the matter. They are (1) The Squatting Regulations of the 2nd of April last, (2) The Recommendations said to have been forwarded for the consideration of the Secretary of State in a Despatch dated the 3rd of April last, by the *General Hewett*, and (3) the Protest of the Pastoral Association of New South Wales against the said Recommendations.

#### DEPASTURING LICENSES.

Colonial Secretary's Office,  
Sydney, 2nd April, 1844.

1. With reference to the Regulations of the 21st May, 1839, and 14th September, 1840, relative to the occupation of the Crown Lands beyond the boundaries of location, His Excellency the Governor, in consequence of the practice which has grown up of parties occupying several distinct Stations under one License, has been pleased, with the advice of the Executive Council, to direct that parties occupying Stations in separate districts, notwithstanding that the same may be contiguous, shall be required in future to take out a separate License for each such district, and to pay the established fee of Ten Pounds for the same; and that no person shall in future be allowed to take up a new Station, either in the same district in which his stock may be depastured, or in any other, without having first obtained a separate License for the same, under the recommendation of the Commissioner, and paid the fee of Ten Pounds thereon.

2. His Excellency, with the advice of the Executive Council, has further directed, that from and after the first day of July, 1845, a separate License must be taken out, and the fee of Ten Pounds paid thereon, for each separate Station or Run occupied, even though situated in the same district.

3. No one Station, within the meaning of these Regulations, is, after the first July, 1845, to consist of more than twenty square miles of area, unless it be certified by the Commissioner that more is required for the quantity of sheep or cattle mentioned in the next paragraph.

4. If the party desire to occupy more, and the Commissioner consider him entitled to such occupation, with reference to the quantity of Stock possessed by him, or its probable increase in the ensuing three years, as well as the accommodation required by other parties, and the general interests of the public, an additional license must be taken out and paid for.

5. Every Station at a greater distance than seven miles from any other occupied by the same party, will be deemed a separate Station within the meaning of these Regulations, even though the area occupied may not altogether exceed twenty square miles; and no one License will cover a Station capable of depasturing more than 4000 sheep or 500 head of cattle, or a mixed herd of sheep and cattle, equal to either 500 head of cattle or 4000 sheep.

6. No Station, or part of a Station, previously occupied under a separate License, will be incorporated with, or added to, the Station of any Licensed person, unless he pay for it the price of another License.

7. In other respects, the Regulations referred to will remain in force.

#### REPORTED RECOMMENDATIONS OF THE 3RD OF APRIL.

1. Every Squatter, after an occupation of five years, shall have an opportunity afforded to him of purchasing a portion of his run, not less than 320 acres, for a homestead.

2. The value of any permanent and useful improvements which he may have made on the land, shall be allowed to him; but the land itself, (exclusive of improvements) cannot be sold for less than the established minimum price of £1 per acre.

3. Any person who may have purchased a homestead shall not be disturbed in the possession of his run during the following eight years. He must, however, continue to take out for the unpurchased parts of it, the usual license, and pay on it the usual fee of £10 per annum.

4. A second purchase of not less than 320 acres shall be attended with the similar advantage of being undisturbed for the next eight years; so that each successive purchase of 320 acres will act virtually as a renewal of an eight years' lease.

5. The right of the Crown must, however, remain absolute, as it at present is, over all lands which have not been sold or granted,

it being well understood, that the Crown will not act capriciously, or unequally, and will not depart from established practice, except for the attainment of some public benefit.

6. Persons who may not avail themselves within a certain period, to be hereafter fixed, of the advantage offered to them of purchasing a homestead, will be exposed to the danger of having any part of their run offered for sale, either at the pleasure of the Crown, or on the demand of an individual. The value of any useful and permanent improvements which they may have made on their lands, will be secured to them should a stranger become the purchaser.

7. The person, whoever he may be, who purchases the homestead, is to have the remainder of the run.

8. All sales to be as at present by auction—the appraised value of permanent and useful improvements, (which will be considered as the property of the former occupant), being added to the upset price of the land.

9. As stated in the notice of 2nd April, a license is not to cover more than 12,800 acres of land, unless it be certified by the Commissioner that the 12,800 acres are not sufficient to keep in ordinary seasons 4000 sheep. No existing run is, however, to be reduced below 12,800, on account of its being capable of feeding more than 4000 sheep. But, if any licensed person have on his run more than 4000 sheep, he is to pay £1 for every 1000 above 4000. A person therefore having on a run of twenty square miles, 5000 sheep will not, as has been supposed, be required to take out two licenses, but will be charged an extra £1 for his license, or £11 instead of £10. If he have 8000 sheep, he will be charged £4 extra, or £14 in all. This is not stated in the notice of the 2nd April, but it forms a part of the proposals which were sent home, as before referred to.

#### PROTEST OF THE PASTORAL ASSOCIATION.

The Committee of the Pastoral Association, although not bound to notice an apocryphal document put forth without the formalities of Official routine, yet believing it to be genuine from its having remained so long uncontradicted, protest against the Regulations which that document contains for the following reasons:—

1. Because the price of £1 an acre is evidently unreasonable for Land, three acres of which are admitted even on the face of the projected Regulation to be required for the feed of one Sheep.

2. Because these Regulations give the occupant no right of pre-emption, but on the contrary expose him to an unfair and ruinous competition.

3. Because these Regulations do not give any fixity of tenure or any tenure at all; the occupation of the Run not being by Lease, which by the Tenant is secured in his possession during its term at a fixed Rent, but under License which may be withdrawn or the fee for which may be raised indefinitely at the will of the Executive.

4. Because the system now sought to be introduced resembles closely that of Leases renewable at stated periods on payment of fines, a system universally exploded, as inconvenient and unjust, especially as the occupant can never know the terms on which he will be permitted to renew his License; the lowest will be £320, but how much more will entirely depend upon the competition of the Auction Room.

5. Because the Crown, by the 5th Regulation, expressly reserves its absolute right to these Lands, and by such reservation, retains to itself the power of taxing the people without the consent of the Representatives, to an unlimited extent.

6. Because the effect of these projected Regulations is without giving the occupant any additional security against disturbance by the Crown, to render his tenure yet more uncertain, by putting it in the power of any third person to eject him, if he be not able at a short notice, to pay a large sum of ready money.

7. Because the certainty of tenure is a far stronger inducement to make permanent improvements, than the prospect of compensation for them, it being perfectly notorious that their estimated value would never replace the outlay.

8. Because it is not the improvements in the Homesteads alone which constitute the value of the Run, but its tried fitness for the pasturage of Stock, and the risks to which the occupiers of a New Country are liable: it being notorious that the best judges have been deceived and forced to abandon their first selections with the loss of a great part of their Stock.

9. Because the investment of such large sums in the purchase of Land would tend to produce another commercial crisis; and because the exportation of Money from this Colony, where it is three times as valuable as in England, in exchange for Emigrants, whom it is equally expedient to the Mother-country to send as for us to receive, and a large portion of whose Passage-money ought consequently to be paid by the Parishes at home, is one operation which must be injurious to the Colony.

10. Because the sum that would be paid to the Government under the proposed Regulations, within the first five years, would amount to more than the whole (present saleable) value of Stock depasturing outside the boundary, viz:—

2000 Licenses, at £10 a year, five years .....	£100,000
2000 Half Sections of Land, 320 Acres, at 20s. (at least)	
per acre .....	640,000
Assessment 3,200,000 Sheep, at 1d. per annum, 600,000	
Cattle at 3d. per annum (five years) .....	105,000
	£845,000

11. Because whatever may be thought of the expediency of obliging the occupant to purchase a Homestead, there can be none in compelling him to purchase an additional 320 Acres at the end of eight years, since they will not be required as a Homestead, and are quite insignificant for pastoral purposes.

12. Because diseased Sheep can only be removed in the month of February, and therefore if the Auction be not in that month, the loss of the Run implies the loss of the Stock.

The Committee of the Pastoral Association, although fully alive to the impending ruin with which these projected Regulations are fraught, would yet entreat the Colonists of New South Wales not to be dismayed, but to persevere in their present efforts, remembering that no amount of misgovernment has ever been able to bear down a community of Britons if true to themselves.

B. BOYD,  
Chairman.

Sydney, 16th May, 1844.

#### EPIGRAM.

*Quis custodiet ipsos custodes?*

You're to watch o'er the Colony, Geordie, we hear,  
Five years longer, if stories be true,  
But the arrangement is somewhat imperfect we fear:—  
Pray who is to watch over you?