

me appear to denounce it. I will not insult your understanding, Sir, by using any arguments to convince you of my superior eminence in the noble art of twaddling. The fact is universally admitted. I cannot, however, resist the temptation of giving you one specimen, of which I am justly proud. It was published on the 1st February last, and is as follows:—"With respect to the office of Crown Prosecutor, Mr. Callaghan has before undertaken the duties, temporarily it is true, but there was no dissatisfaction; and the learned gentleman, by his recently published work, has shown himself fully qualified for such an office in this Colony. The Editor of 'Acts and Ordinances of the Governor and Council of New South Wales, and Acts of Parliament enacted for and applied to the Colony, with notes and index,' must be qualified for such an office."

I flatter myself, Sir, that few people have ever had the pleasure of reading a prettier piece of twaddle than this. And now, Sir, having said thus much, I put it to you, as a candid man, whether it was not most dastardly in the writer of the before mentioned article of last Saturday, to endeavour to ruin my reputation, by putting it forth in my name. To neutralize the mischievous tendency of that production, I have written this letter. And, in conclusion, respected Sir, I beg to assure you, that I am still the same twaddler that I always have been. *Semper twaddlerius manebo*, shall ever be the motto of, Sir,

Yours, respectfully,
SYDNEY MORNING HERALD.

AUSTRALIAN ECOLOGUE.

"Tityre tu patulae" &c.

Mivins.—While Timmins you recline at ease,
Under the shade of these gum trees,
Whistling such ditties, sad and flat,
As "Nix my Dolly" and "Round my hat,"
We, with all manner of vexations,
Are forced to look out for new Stations—
I have been put to total rout,
A d—d New Chim has bought me out!
While you sit there, you happy stickler,
And smoke your pipe and drink your liquor.

Timmins.—A real Gentleman, and no mistake,
Has done the business, Mivins, for my sake;
I tip him very regular, you must know,
A brace of lambs I send, or else a ewe;
And thus, you see, it comes about
That I have not been purchased out.

Mivins.—I do not envy you, but wonder how
Or why they have got up this blessed row;
The ewes and lambs I am too weak to drive,
And fear I'll bring off very few alive;
The weakest lambs I put upon the dray,
But still I save but few.—Alas the day!
A score of them are dead in yonder spot—
The very finest, too, of all the lot.
The Overseer, I recollect, forsook
That all this run of ours would soon be sold,
Such croaking prophecies I sent to H—
But, Timmins, tell us something of this swell.

Timmins.—The City they call Sydney I once thought
Was like this town of Melbourne, where we brought
Our widders oft for sale, so ewes to lambs
Remembrance show, and cubs are like their dams;
But Sydney does this town of ours surpass,
As does the tall white gum the lowly grass.

Mivins.—What was it brought you up to Sydney, pray?

Timmins.—To get my freedom; which, with some delay,
I did obtain at last; but while away
I saw the swell I mentioned, and I tell you
There are no flies about him, my good fellow!
And when I asked him if I were secure
My run should not be purchased, to be sure;
Says he "Don't be in such a fri, lit,
My fine old Cock, I'll see it made all right."

Mivins.—A fortunate old chap you surely are,
For though the run may seem a little bare,
And covered over here and there with rock,
Yet still it is sufficient for your stock,
And by the river is so well protected,
There is no danger of its being infected.

Timmins.—Australia then must cease to be an island,
And the Pacific must be turn'd to dry land;
Old Father Matthew very drunk must get,
And bullock drivers give up heavy wet,
Before his countenance I can forget.

Mivins.—But some of us must go to Portland Bay,
Others to Gipps' Land, or the Goulburn way;
Or else to South Australia, and the plains
North of the Pyrenees and Grampians.
I wonder if I ever shall again
Behold this spot which once was my domain,
The door, against the bushman never shut,
And the bark covering of my humble hut.

Some Half-pay Officer will reap my corn,
Some Sailor shear my flocks—may I be shorn,
If I had thought it would have reached this pass,
If ever I'd have been th' infernal ass
To build a wool-shed, or to put a rod
Of fencing up, or turn a single sod.

Timmins.—At any rate you'll spend the night with me.
We'll have a bit of damper and some tea;
And now I see 'tis getting rather late,
So we'll go in and finish the debate.

EUROPE.

MR. O'CONNELL HARKS BACK.

(From the Examiner, November 19, 1844.)

Federalism is thrown overboard already. While poor Mr. Sharman Crawford was cudgelling his brains for a plan, Mr. O'Connell was proclaiming the bursting of the bubble—

"This experiment has not been as yet successful; the Federalists have not come forward with any specific plan, they have made no public movement, they have effected no organization among themselves; our notions as to their plans are purely conjectural.

"It would, under such circumstances, perhaps, have been better if a perfect silence had been adopted by those who formed particular ideas of what Federalism meant, and thus opposed the creature of their own imagination."

Why did not Mr. O'Connell declare his preference of Federalism, and was it a whit more unreasonable to reject than to adopt the unexplained project? If others have opposed Federalism without knowing what it was, he, by his own showing, preferred it without knowing what it was.

Federalism is the very first thing that has ever died for want of a plan. What other bubble has lacked a presentable scheme, something to show on paper? Mr. Sharman Crawford, who is as prolific as a rabbit, either was or thought himself in labour with a scheme, but could not be delivered of it before Mr. O'Connell abandoned the thing. Mr. Porter, indeed, has given a promissory note for a plan, at some months after date, like Don Quixote's bill for ass-colts unborn, and Mr. O'Connell has Sancho Panza's confidence in the assets in due season.

The French soldiers, jealous of the distinction of the corps of engineers, and holding their scientific labours in small respect, lost no opportunity in quizzing them. It happened on a march that some of the officers of the engineers fell into a deep ditch, and, in answer to their cries for help and extrication, the soldiers replied, "Draw out your plan, we can do nothing without your plan. Give us your plan how to pull you out of the ditch."

The poor Federalists were in the like predicament. Those ingenious engineers Mr. Porter and Mr. Crawford being floundering in the ditch, Mr. O'Connell invited them to draw out their plan, in default of which he now barbarously deserts them.

There is somewhere a mill for grinding people young, which we take to be like the proposed federalism, reducing a frame to particles in order to put it together again with a more vigorous constitution.

Medea restored Eson by a federal treatment. She cut him to minced meat, put him in hot water, and boiled him up young again. This is what the Irish enchanter would do with the empire; he would cut it into parts to make the members greater *Hibernice*, by making them smaller; the other cooks then propose the next stage of the process, that of putting together again, in the hot water of the federal kettle, the disjointed parts and stewing them into a new and more vigorous empire.

Pelias, the head of the Peel family, and from whom the name is derived with a corruption common to Toryism, had his limbs treated in this federal fashion by his misguided daughters, who made such a hash of it that the old gentleman was so overdone that he never came out of the cauldron again.

We supply this explanation of Federalism to clear ourselves from Mr. O'Connell's charge of quarrelling with a thing without any idea of its nature, and to show that at least we had a distinct notion of what we were ridiculing than he had of what he was espousing.

Folks in search of the philosopher's stone always found that their failures had brought them nearer to success, and so it is with the Arch-Repealer, who writes in the very formula of the alchemists for such occasions—

"The experiment, it is true, has not as yet been successful, yet I think it has afforded grounds of confident hope and pleasing anticipation of future and complete success."

Union is the grand specific of Mr. O'Connell for the dissolution of the Union. "A sudden thought strikes me" (says the heroine in Canning's burlesque); "let us swear eternal friendship," and this is the happy expedient of Mr. O'Connell to join Catholic and Protestant, Whigs, Radicals, and Tories, orange and green, in brotherly co-operation for the Repeal of the Union. It is the man's overture to the horse, that he should lend his back to him for the purpose of expelling the stag, but with a strict proviso against any ascendency or fixity of tenure in the saddle. In the prevailing infatuation of gullibility even such a proposal may not be unsuccessful.

Mr. O'Connell confesses that there has been a longer pause in the Repeal agitation than he had anticipated, during the federal extravaganza interlude, but he fans the flame, if not in the precise words, in the spirit of this address and scene—

Earl of Leicester.—Why dimly glimmers that heroic flame,
Whose red'ning blaze by patriot spirit fed,
Should be the beacon of a kindling realm?
Can the quick current of a patriot heart,
Thus stagnate in a cold and weedy converse;
Or freeze in tideless inactivity?
No! rather let the fountain of your valour
Spring through each stream of enterprise,
Each petty channel of conducive daring,
Till the full torrent of your foaming wrath
O'erwhelm the flats of sunk hostility!

Puff.—There it is—followed up!
Sir Walter Raleigh.—No more! the freshening breath of thy rebuke
Hath filled the swelling canvas of our souls!
And thus, though fate should cut the cable of

[All take hands.
Our topmast hopes, in friendship's closing line
We'll grapple with despair, and if we fall,
We'll fall in glory's wake!

Earl of L.—Then, are we all resolved?

All.—We are—all resolved.

Earl of L.—To conquer—or be free?

All.—To conquer, or be free.

Earl of L.—All?

All.—All.

Dangle.—Nem. con., egad!

Puff.—O yes, where they do agree, their unanimity is wonderful!

Earl of L.—Then, let's embrace—and now—

Sneer.—What the plague, is he going to pray?

Puff.—Yes, hush!—in great emergencies, there is nothing like a prayer!

All.—Behold thy votaries submissive beg,
That thou wilt deign to grant them all they ask;
Assist them to accomplish all their ends,
And sanctify whatever means they use
To gain them!

STEAM-BOAT EXPLOSION IN AMERICA.

An American paper gives the following particulars of another most horrible steam-boat explosion, its terrible consequences being in strict keeping with the usual American results. It seems that—

The steam-boat Lucy Walker left Louisville for New Orleans, full of passengers. When about four miles below New Albany her machinery got out of order, and the engine was stopped to make repairs. While the repairs were making the water in the boilers got low, and within three minutes after the engine ceased working her three boilers exploded with tremendous violence, and all the upper part of the boat was blown into a thousand pieces. The air was filled with human beings and fragments of human beings. One man was blown up 50 yards, and fell with such force as to go entirely through the deck of the boat. Another was cut entirely in two by a piece of the boiler. The steam-boat Gopher, Captain Dunham, was near by, who saved the lives of many in the water. He saw many go down whom he could not save. Immediately after the explosion the ladies' cabin took fire, and before it had been consumed she sank in 12 or 15 feet water. The screams and exclamations of the females, and those who were not killed, is represented to have been most distressing and awful. From 60 to 80 persons were killed and wounded.

The wounded were left at New Albany, where every attention was paid to them.

There is no doubt but that this dreadful business has been the result of the most wanton carelessness. The latest Louisville papers contain the following additional particulars:—

The city was filled with all kinds of rumours yesterday connected with the explosion and burning of the Lucy Walker. Last evening 15 dead bodies had been recovered. We heard that none of them could be recognized, and then again that all were recognized but one. The bodies of General Pegrum, Nicholas Ford, S. M. Brown, P. Wallis, Z. Hughes, Moses Kirby, James Vanderberg, the second clerk, the second mate, and the bar-keeper have not been recovered.

The body of Mr. Cooper, engineer, was brought to this city and interred yesterday. The Rev. Mr. Todd, of the Third Presbyterian Church in this city, was blown overboard, but saved himself by swimming. At New Albany, yesterday, there were 15 or 20 of

the wounded. The spectacle presented in new Albany by the dead and dying beggars description. The citizens of that town have shown the most commendable hospitality, and the interest which they have manifested in behalf of the sufferers is above all praise. Their places of business yesterday were closed, their numerous flags were lowered, and mourning and gloom filled the town.

We hear related numerous incidents connected with the accident, which are interesting, but we have not room for many of them to-day. Mr. Wren, of Zazoo, Mississippi, was thrown from the boiler deck, and fell near the bow of the boat in a state of insensibility. When he recovered his senses he saw his little son, six or seven years old, in the rear of the boat, the flames raging around the boy. The father, unable to rise, watched the movements of the son with the greatest anxiety. Soon he saw the boy leap overboard. The river was full of mattresses, and he floated on one of them until saved by a rope from the Gopher. The father saw his rescue with feelings we need not attempt to describe.

A man, his wife, and four daughters were saved without injury, though in different ways and places. Their meeting must have been most joyous. A little girl was found clinging to the wreck, when the flames were so near that she had to dash water against one side of her face to protect it from the intense heat. A man was on the hurricane deck, with his wife and a little daughter, at the time of the explosion. He dropt the former aft into the yawl, and she was saved, but with a sprained ankle. He threw the latter into the stream, and then plunged in and saved it by swimming.

Pieces of the boilers were thrown upon the Kentucky shore; and it is said that some portions are not thicker than a half-dollar. When, and where, and by whom could they have been inspected? We heard a gentleman state last evening, that he had had two sets of boilers inspected here, when the steam was up. What safety can there be on our waters if such criminal carelessness and recklessness are tolerated?

LORD SAYE AND SELE.

The death of this nobleman took place at his Lordship's town residence, in Grosvenor-street, on Wednesday, the 14th of November. He was the eleventh Baron of his line, and descended from one of the most ancient families in England. The deceased peer, Gregory William Eardley Twisleton Fiennes, was the eldest son of Thomas Twisleton, the tenth Baron, whose wife—mother of the noble Lord just dead—was the eldest daughter of Sir Edward Turner, Bart., of Ambroseden, in Oxfordshire.

The subject of this notice was born on the 14th of April, 1769; he was therefore at the time of his death within five months of completing his 76th year. His Lordship's father died on the 1st of July, 1788, and thus the peerage descended to him before he had completed the 20th year of his age; for this reason he formed an exception to the general rule regarding the Upper House, for he never had a seat in the Lower.

His Lordship's marriage took place on the 8th of September, 1794, when he espoused Maria Marow, eldest daughter and co-heir of Sampson, Lord Eardley, who having died without male issue in 1824, his title became extinct. In consequence of the extinction of his father-in-law's peerage, Lord Saye and Sele assumed in the year 1825 the name and arms of Eardley; and in the same year, to commemorate his descent from the noble and ancient house of Fiennes, he assumed, by Royal permission, that surname and the armorial ensigns of that family, in addition to, and after, those of Twisleton.

The estates and country seats of the deceased peer are in Oxfordshire and in Kent. In those counties the greater part of his life was spent in that unostentatious retirement which has the effect of rendering his death an event of no public importance.

Lord Say and Sele had two children, a son and daughter; the former survives him, and inherits his title; the latter, whose name was Maria Elizabeth, married in the year 1825 the Count de Gersdoff, of Prussia, but she died in the following year. Lady Say and Sele died in the year 1834; his Lordship was, therefore, a widower during the last ten years.

The founder of the family from which his Lordship is descended, was William de Saye, one of whose descendants in the direct male line was Sir Gregory de Saye, a Knight Banneret, and Admiral of the Fleet. He was summoned to Parliament, but his peerage now remains in abeyance. The first Lord Saye and Sele was Sir James Fiennes, who was summoned to Parliament by that title on the 3rd of March, 1447. He was Constable of Dover, Warden of the Cinque Ports, and Lord Treasurer of England, but unhappily fell a victim to Jack Cade's mob at the Standard in Cheapside. The second Baron, who was killed at the battle of Barnet, married a relation of William of Wykeham, and through her acquired the lordship of Broughton, in Oxfordshire. Edward Fiennes, the fifth in descent, refused to take up the title; but Sir Richard, the seventh in descent, obtained a confirmation of it in 1603 to him and his heirs general. In 1674 the barony fell into abeyance; but after the lapse of more than a century, that abeyance was terminated in favour of Thomas Twisleton, Esq., of Broughton Castle.

The deceased peer is succeeded in his title and estates by his only son, William Thomas Twisleton Fiennes, who is now in the 47th year of his age, having been born on the 24th of April, 1798.

Original Correspondence.

THE COURT OF REQUESTS AND ITS £30 JURISDICTION.

MR. ATLAS.—In "the case of the Lords Presidents of Wales and York" reported in Coke's reports, part XII. p. 50, it was amongst other things observed by the Judges in their answer to the complaints made against them, that it was a true rule, *misera servitus ubi jus est vagum aut incertum*, and the Lord Treasurer in delivering the resolutions of the Council "repeated the sentence, and said, that true it is *ubi lex aut vaga aut incerta miserrima est servitus*, where men's estates and fortunes should be decided by discretion." This observation was made in the reign of James the first, at a period when it was a rare thing to see an independent Judge, and is so self-evidently correct as a principle of jurisprudence, that it is scarcely credible that any lawyer of the present day could be found ignorant or arbitrary enough to deny it. The late member for Camden, however, in that scandalous piece of Legislation, the Consolidated Court of Requests Act, contrived to place in his own hands as Commissioner, as much discretionary power as his ingenuity enabled him to devise. Throughout the whole of this Act (as I took occasion to point out at length some few months since) the grand distinguishing characteristic, is the surprising care that appears to have been taken, to leave everything to the discretion of the Commissioner. Knowing, by experience, what an easy thing it was to escape from any little legal difficulty that might present itself, so long as there was the safety-valve of "equity and good conscience" to fall back upon, the learned framer

of this measure reserved (as he thought) to himself, the power of excluding law from his Court whenever he might think fit. In the Clause creating the Thirty Pounds Jurisdiction however, he (no doubt unintentionally) omitted to state that cases above ten pounds, should be heard in a summary way and according to equity and good conscience. But notwithstanding this omission, after he had on one or two occasions allowed points of law to prevail, the force of inveterate habit became too strong for him, and he at once fell back upon his old friend "equity and good conscience." That in doing this he was acting illegally, every lawyer who was competent to form an opinion on the matter was of course well aware, but it was not thought worth any person's while to argue such a point with one, who, if he had the legal capacity to comprehend it, at all events was much too prejudiced in favour of discretionary powers to give an impartial decision. Since the recent elevation of this friend to "equity and good conscience" to a seat on the Bench, and the appointment of Mr. Cheeke to succeed him, the power of the Commissioner to decide in the extended Jurisdiction according to "equity and good conscience" has been denied; and the present learned Commissioner has very properly declared it to be his opinion, that in the absence of any specific mode pointed out in the Act, by which the thirty pounds cases are to be heard and determined, it must be according to the course of the common law. For this decision Mr. Cheeke is entitled to the thanks of the legal profession and the public generally, inasmuch as it will now be possible, (which it was not before) for suitors to go into the thirty pounds Court with some degree of certainty as to the result. Those who have already been unfortunate enough to experience any of the injustice, daily perpetrated under the old *Turkish* system of discretionary adjudication, so congenial to the spirit of the late Commissioner, will fully appreciate the good which this decision of Mr. Cheeke's will effect. Next to the final abolition of this Court, this decision is the greatest blessing that could have been conferred upon the country, in connexion with this most infamous, arbitrary, and unconstitutional Jurisdiction.

Another point which Mr. Cheeke has decided very properly, in opposition to the views of his predecessor, is, that the Court has jurisdiction in all cases of rents—that jurisdiction having been expressly given to it in the first part of the fourth section, by the words "ALL actions for rent, or use and occupation." That the mind of Mr. Therry should have been confused and perplexed by the subsequent proviso, excluding cases of "annual rent or other such matter where rights in future may be bound," is of course not much to be wondered at, seeing that it has puzzled every one else as well as the learned gentleman who so stupidly introduced it. Mr. Cheeke no doubt found some difficulty in making anything of such a conglomeration of absurdity, but at length being unable to see how the decision in a case of rent for use and occupation could bind future rights, he very correctly (in my opinion) decided that he had jurisdiction in every case of that description.

In addition to the two points already mentioned, there is another very important one not yet determined by Mr. Cheeke, and that is whether he has the power to grant a new trial, except where the assessors disagree, and the verdict is given by the Commissioner's casting vote. That he has not this power except in such cases is, I think, too clear to admit of argument; and I have no doubt Mr. Cheeke is himself of that opinion. The words of the Act are "and in case of a difference of opinion between the assessors, the verdict of a majority consisting of one assessor and the Commissioner shall be equivalent to the verdict of all: Provided also that in all cases of such difference of opinion it shall be lawful for the unsuccessful party to apply to the Commissioner for a new trial, who shall grant or refuse the same, and upon such terms as to payment of costs or otherwise as to him shall seem meet." Although it was contended in argument before the Commissioner, that the granting of a new trial was a Common-law privilege exercised by all Courts, yet a reference to any authority on that point, will show such a notion to be erroneous. The power to grant new trials, so far from being given by the Common-law, was assumed and practiced by the Superior Courts without any authority, and public convenience has caused it to be acquiesced in without question. But it never could for one moment be contended, that this power may also be assumed by a new and inferior tribunal, without any law to warrant it. Admitting, however, for the sake of argument, that without any clause to that effect the Commissioner of the Courts of Requests could grant new trials, yet the Act of Council having distinctly pointed out one case in which those new trials shall be granted, the maxim *expressio unius est exclusio alterius* excludes the power in all other cases. And so I have no doubt the learned Commissioner will decide.

Upon the whole, it is universally admitted that the change which has taken place in the Courts of Requests since the elevation of Mr. Therry to the Bench, is one that can scarcely be too highly estimated. The resolution which Mr. Cheeke has formed, of not hearing either of the parties, unless it be shewn that other evidence is unobtainable, is an act which of itself is sufficient to place his conduct as Commissioner, in very advantageous contrast with that of his predecessor, while the conducting of the proceedings according to law, will totally preclude any display (if even Mr. Cheeke were disposed to indulge in it, which I am satisfied he is not) of that trimming and dodging, and trying to please all parties, which, with the ignorant and undiscerning, obtained for Mr. Therry so high a reputation for fairness and impartiality.

O. P. Q.

[The above was in type for the last number of the ATLAS, and since it was written, Mr. Cheeke has decided finally, First, that the Court, in its £30 jurisdiction, must be governed by the rules of the Common Law; and, secondly, that he has the power to grant new trials only where the Assessors disagree as above contended for.—O. P. Q.]

A VOICE FROM THE BUSH.

Mr. ATLAS,—Pardon me if I would again trespass on your columns. Your correspondent "Clan Donachie" is right, and I was wrong. I cannot take offence at his rectifying my error as to Mr. Alman's age, and in lifting a veil for our admiration of his virtues, he steps forward with the boldness of an impartial man, and in all the generosity of integrity. I can appreciate such principles; they are of the chaster ornaments of our nature.

I did not think that Mr. Alman's appearance indicated more than a very youthful age; he is generally considered as of such, and his acts confirm the opinion. My young friend Miss ——— assured me he was only four-and-twenty; that he had told her so, and, I believed her. I have understood that he was a native, and I have equally rejoiced with your correspondent, at his appointment to office and to honor. It was an admission, that there were gentlemen in the Colony, and of the Colony, qualified to fill those appointments so indiscriminately bestowed on the parasite scamps and puppies who infest us; and, whatever Mr. Alman's imperfections may be, I would willingly see what appointments, to the exclusion of those in present vogue. Good humoured

native sloth is more to be tolerated, than hungry imported insolence, often coupled too with ignorance and negligence.

But, if Mr. Alman have arrived at such mature age, and filled thus early the offices of Commissioner and Magistrates, Mr. Alman must surely know that he has a duty to his country to perform, much higher than obedience to a Governor's mandate; and a self-respect to maintain, that should be unshaken by the prostitution of what is right to a Governor's sordid wishes. I will be content to abide by Mr. Alman's own honest decision, whether he has not deeply felt the degradation inflicted on him by office; the apparent tenure of which has been—the extortion of fees, the multiplying of illegal Licenses to cover sly grog shops, and the patronage, which as a Magistrate, he has afforded to the dens of infamy thus created. I do not think that Sir George Gipps could blush at any exposure; he, like myself, is getting old, and I never blush now till after the third bottle. But, I fear Mr. Alman may be more sensitive. He has been praised, and I hope justly, for his benevolence of heart, and uprightness of intent; he has been censured for indolence and vacillation, and a too ready compliance to graceful importunity; he has fallen into the error of a courtier, in acting magisterially up to the wishes of an avaricious despot,—and I fear, that he blushes at his prostration. I am enlightened by "Clan Donachie" and I willingly remove the odium from Mr. Alman, and impose it on his Excellency the Governor; it will wear well and consistently with him,—and he likes it!

I do not however, agree with your correspondent, that thirty is the age of mature and grave decision. I am so old that I scarcely recollect my thirtieth year; but, about that period of my life, I had a Consular Commission to investigate and protect some interests. The claims of a widow, young, attractive and disconsolate were involved. I am not positively certain that I did not play off a little roguery in her behalf, for I admired and pitied her; and honesty, in those days, never stood between my heart and a sorrowing woman. Her interests were beset by vampires, and I remember with satisfaction, even now, that I gave to her good and efficient protection. At forty I might have done the same. At fifty, I was a little cooler, and more fitted for impartial decision. At sixty, I think I could have been unbiased by beauty, though never by distress; but, I feel positively assured, that now I should treat with scorn a Governor's orders that coincided not with my honor; and, that I really could resist the application of the prettiest woman in the Colony, if made for a license to cover a sly grog shop beyond the boundaries of location.

I am Sir,

Your humble servant,

HAMPDEN REDIVIVUS.

February 25, 1845.

REGISTRAR OF THE COURT OF REQUESTS.

Mr. ATLAS.—It is not generally known that the Registrar of the Court of Requests in Sydney receives for his services a salary of £400 per annum. That such a stipend should, in these times of monetary depression, be given for such an office is but another instance of the one-sided economy of our present ruler. If he is asked to sanction the expenditure of a thousand pounds to repair a road or bridge, or to make a river navigable, he tells those who are silly enough to ask it, that he is very sorry, but—there is no money in the Treasury. If, on the other hand, it should be hinted to him that any of his pet officers are paid more than twice the amount for which the services of persons equally efficient can be secured, then the public funds are all sufficient, and—why should the incomes of his friends be cut down? Niggardly when he should be liberal—parsimonious when he should be profuse; he seems determined to adhere to the maxim, that it is the duty of the Government to expend as much as possible of the revenue for the good of its servants, and as little as possible for that of its people.

The principal, if not the entire, duties of Mr. Registrar Brown consist in signing summonses, subpoenas, and executions; paying and receiving the moneys, and keeping what is called by courtesy a Record of the Commissioner's decisions. The whole of these duties do not occupy one fourth of his time, and of their performance any one who is able to write is fully competent. And yet it is thought necessary to give four hundred pounds a-year.

I look upon this as a wanton waste of the public money, and ask if it is at all surprising, while such gross jobs as these are perpetrated, that the motives of Sir George Gipps can be looked upon otherwise than with suspicion?

* * *

THE NEW AUSTRALIAN LIBRARY BUILDING.

Mr. ATLAS.—As several opinions have been given to remedy the tottering condition of the new Library walls, none of which are at all applicable as a perfect and cheap cure, I hope it will not be considered presumptuous in a practical mechanic to offer an opinion, though somewhat different from the professional opinions.

In the first place, I would fix securely round the building at its present height a strong frame of timber projecting ten inches into the rooms, making the top line of the wall perfect in every respect, which is simply done by any person knowing how to apply mechanically the screw and London-bridge wedges. In the next place, frame the floor thus: two strong beams to be laid on piers longitudinally against the east wall and the one facing; a diagonal frame to be placed between the beams, and the same power applied till the bottom parts of the wall were perfect; then insert your cross beams, and frame your floor in the usual manner. Between the floor beams and the wood curb at top, proceed in the usual manner to straighten the wall and frame in iron bark pilasters, perpendicularly behind each outside pilaster; these pilasters to be used according to the room. They are very often used in large rooms, as part of the internal finishing and the roof could be formed likewise to add to the strength of the wall. But the introduction of detail would take up too much of your valuable space, such as the manner of working and strengthening various timbers. The above is sufficient to show that the whole is practicable and economical.

I remain, Sir,

Your obedient servant,

J. R.

CITY COUNCIL.

MONDAY, MARCH 10TH.

(Present—the Mayor, four Aldermen and seventeen Councillors.)

THE LIGHTING COMMITTEE.

Mr. Fisher enquired why the Lighting Committee had not been called together. Several of the Councillors present expressed their opinion that the Chairman (Alderman Wilshire) being opposed to lighting the City with gas, had foreborne to call the members of the Committee together.

Alderman Macdermott, expressed his willingness to act as convener of the Committee, provided Alderman Wilshire, who was senior Alderman, gave up the chairmanship. At the suggestion of the Mayor the matter was allowed to stand over, till Alderman Wilshire had an opportunity of ascertaining the opinion which the Council entertained of the manner in which he was to act.

THE WATER COMMITTEE.

The amended Report of this Committee was presented and adopted.

REPORTS OF COMMITTEES.

The following were brought up and adopted:—
The Bourke Ward Assessment Committee.
The Market Committee respecting the erection of a Jetty at the Market Wharf.
The Phillip Ward Assessment Committee.
The Brisbane Ward Assessment Committee.
The Cook Ward Assessment Committee.
The Gipps Ward Assessment Committee.
The Finance Committee, recommending payment of certain sums, for which the Council was liable.
The half-yearly report of improvements effected in the streets.

DRAINAGE OF THE CITY.

Mr. Fisher having previously given notice of the following motion, moved—That in the opinion of this Council it is desirable to complete the surface drainage of the streets of this city as speedily as possible, and in order to accelerate this, that in addition to the sum already passed for the repairs of the streets, the sum of two thousand pounds be voted, and raised in the present years assessment—half in the first half-year, and the other half in the second half-year; to be expended under the direction of the Improvement Committee—exclusively in repairing and laying down surface drainage and kerbing, in the proclaimed streets of the city. That this Council being anxious to appropriate the funds of the city as judiciously as possible, consider that some of the works now performed by day labour should be tested by similar work performed by contract; and that in furtherance of this object, the Improvement Committee be requested to have a portion, if not all work, under this vote, done by contract, which being seconded, was opposed by several members, and on a division was lost.

Alderman Flood, pursuant to notice, moved as follows:—"That a respectful address be presented to His Excellency the Governor, praying that he will cause deeds of grant to be issued to the Corporation of the City of Sydney of all properties at present in their possession;" which being seconded by Alderman Macdermott, the following Committee was appointed to prepare the address, namely: the Mayor, Aldermen Flood and Macdermott, and Councillors Browne, Josephson, and Ryan.
The Council adjourned till 3 P.M. on the 19th instant.

SUPREME COURT.—EQUITY JURISDICTION.

MONDAY, MARCH 10.

(Before their Honors the Chief Justice and Mr. Justice A'Beckett.)

HUGHES AND ANOTHER v. MITCHELL AND OTHERS.

This was a suit instituted to have certain annuity deeds delivered up to be cancelled, upon the ground that the ship *Medway* which, given in part purchase of the annuity by Captain Wight, whose agents the defendants were, had proved unseaworthy, notwithstanding a warranty to the contrary.

The Chief Justice delivered judgment, deciding that the actings and sayings of Captain Wight in reference to this transaction did not legally amount to a warranty, and that as the bill was grounded on a charge of fraud, which the plaintiffs had failed to establish, it must be dismissed with costs.

INSOLVENCY JURISDICTION.

WEDNESDAY, MARCH 12.

(Before Mr. Justice A'Beckett.)

CERTIFICATES.

The following were confirmed by the Court.—John Beattie, Samuel Owens, and John Piper, Jun.

GANNON EXPARTE LYONS.—FLYNN EXPARTE MOSES.

The Court granted rules absolute for the compulsory sequestration of both these estates.

NALDER EXPARTE BARNETT.

In this case an attachment was directed to issue for non-filing a plan of distribution, but it was ordered to be kept in the Office till Saturday, 15th instant.

The Court then adjourned till Wednesday next.

BERRIMA CIRCUIT COURT.

(Before his Honor, Mr. Justice Dickinson.)

THURSDAY, MARCH 6.

HORSE-STEALING.

Thomas Finnegan was indicted for having stolen a mare, the property of George Perks, of Burrows, blacksmith, on the 30th July last.

It appeared that the prisoner, together with another man named Ruston, was taken into custody on a charge of highway robbery. When taken in Goulburn, they denied having ridden into Goulburn; but subsequently a horse and (the mare in question) were found, where they had been left, in the stable of one Phillips, a dealer, in Goulburn; also the saddles, and bridles, and spurs, used by the prisoners, and other property. The mare was identified by Mr. Perks. Guilty; transported for ten years.

CHARGE OF BURGLARY.

William Clark, late of Braidwood, was indicted for having burglariously entered the dwelling of one Michael Carroll, blacksmith, of Braidwood. Not guilty; discharged.

FORGERY.

James Collins was indicted for uttering a forged order, on the 6th December, 1843, at Booth's Flats, the order purporting to be drawn on H. C. Antill, Esq., in favour of J. Robinson, by J. Thomson, superintendent to H. C. Antill, with intent to defraud one Walter Skinner. Guilty; transported for Life.

SHEEP-STEALING.

J. W. Pollen was indicted for stealing sheep, the property of James Tod Goodsir, executor to the will of the late Dr. Wilson, of Braidwood. Not guilty.

FRIDAY, MARCH 7.

FORGERY.

John Drummond, native of the Cape of Good Hope, was indicted for having on the 1st of February, 1844, uttered a forged order on the Bank of New South Wales, for the sum of £4 10s. purporting