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TYRANNY DEFEATED.

Et nomen pacis dulce est, et ipsa res salutaris; sed inter pacem et servitutem plurimum interest. Pax est tranquilla libertas; servitus madorum omnium postremum, non modo bello sed morte etiam repellendum.—CICERO.

It is with feelings of great and unmingled satisfaction that we are enabled this day to record the gratifying fact that the Bill, introduced into the Council by the Government, for the purpose of continuing the Squatting Act twelve months longer, has been thrown out, on its first reading by a majority of nine—not one of the people's representatives being base enough to vote in its favor. So noble and so decisive a stand as this, is sufficient in our estimation, to compensate for a thousand trivial mistakes, and although we have frequently felt ourselves bound to express our dissatisfaction at the course adopted by several of our elected members, we cannot, in the present instance, refuse to any one of them the least portion of that praise, to which their conduct on Thursday last entitles them. They have now shown to the world that, with the Roman orator of old, they can perceive the difference that exists between peace and slavery—between security and subjection.

The grand pretext that was made use of by those who advocated the passing of this Bill was, that it was a Bill that was required, not to protect the interests of the Crown, but to provide the means of protecting life and property beyond the boundaries, and preventing one squatter from encroaching upon another. This, and this only, as far as we could see or hear, was the argument used by the Colonial Secretary, and those who supported him, and it was well answered in the course of the debate. As Mr. Windeyer properly said, if the protection provided by this Bill was in reality necessary, it was coupled with conditions which would have rendered the acceptance of it impossible. Better would it be, a thousand times, to submit to every species of anarchy, than to continue for a day the disgraceful powers which the commissioners at present hold in their hands. These powers, it was admitted, even by the advocates of the Government, were something terrible to English notions, and required to be materially curtailed. It is unnecessary that we should advert to them here, or attempt to follow Mr. Wentworth in the able and eloquent description which he gave of them. To the squatters they have long been made familiar by continual and daily acts of oppression and injustice; and so much has been written of them of late, that their enormity must be familiar to the public also. That Sir George Gipps should, for one moment have imagined it possible, after the opinions which the Legislative Council had already placed on record, that they could have sanctioned the continuance of this Squatting Act, is certainly unaccountable. And not less unaccountable, was the pertinacity with which his nominees asserted, that this act was in no way necessary for the maintenance of that prerogative authority which he claims. In supporting this assertion, the learned Attorney-General made himself particularly conspicuous—forgetting, no doubt, at the time that the main reason alleged by the Government originally for conferring such extensive powers upon the Commissioners was, because that in this colony the ordinary remedy which the Crown possesses by writ of intrusion could not be rendered available. It was for this reason, and not from any desire to protect the Squatters, that these enormous powers were called into exist-

ence. Without these powers, as Mr. Lowe in his most eloquent speech unanswerably demonstrated, the squatting edicts of Sir George Gipps and Lord Stanley would be powerless. They may reserve to themselves the right of turning the squatter out of his run, without reason or enquiry, but if they are driven to do this by writ of intrusion, their hands are tied, and their tyranny falls to the ground. The Government being well aware of this, come therefore to the Council to help it out of its difficulty—and base indeed would the Council have been if it had acceded to the request. "If," said Mr. Lowe, "I were allowed to frame such an answer as I think this House ought to return to such a request, it would be in language such as this:—May it please your Excellency—There are three ways by which you may govern this country. The first is by means of that prerogative to which you have so often appealed. You may direct your Crown officers to take down from those dusty shelves, on which they have so long laid, those dingy and black-letter volumes, in which are recorded those precedents of Norman tyranny and oppression, which our ancestors two centuries ago successfully demolished—you may direct your Attorney-General to send his writs of intrusion from one end of the colony to the other, and drag those who occupy the Crown lands without your authority before a jury of the country: that, sir, is a struggle, from which Englishmen never shrink. It is a struggle in which they have never been conquered. If your Excellency thinks the prerogative sufficient for your purposes, try its power, and we shall be prepared to contest it." To this language the Council have responded in a fitting manner. They have now left the Executive to its prerogative, and they have at the same time, maintained the claim they have so often contended for—the claim to control and manage the waste lands. In this debate, the speech which eclipsed all others was undoubtedly Mr. Lowe's—a speech which, perhaps, surpassed any of his previous brilliant displays. A great principle has now been worthily vindicated, and the Executive have at length been reduced to a position, such, that we may truly say of them:—

*Tacent, et ora pallor albus inficit
Mentesque percussæ stupent.*

THE LAST FAREWELL.

SIR GEORGE GIPPS has for the third time delivered his farewell ball-room address. On each of these occasions he was singularly impressive and pathetic. But in this last instance, his address was peculiarly affecting. "It was probable that many of his hearers—that a large majority of the people of this colony—were under the impression that he had remained here too long—far too long—for its interests, but whatever the opinion of the public might have been in this respect, no one who looked upon his attenuated form, and listened to the weak and tremulous tones of his voice, could deny that he had, at all events, remained here too long for his own health.

"In his anxious and honest endeavours to promote the prosperity of New South Wales, he had far overtaxed his powers of endurance, and had reduced himself to a condition so precarious, that it was extremely probable the remainder of his life would be that of an invalid—that it might, perhaps, be his fate to find his last resting place on these shores.

"As for Lady Gipps, who had been for so many years the sharer of his joys and sorrows, she would in future be more a nurse than a wife to him." Such was the language that Sir George Gipps addressed to those around him on the 25th of May, and the deep sensation which the melancholy part of it produced among the fairer portion of his audience, could only be exceeded by the loud denial with which that part of his speech that alluded to the supposed wishes of the people of this colony for his departure, was met by one or two of his own subordinate aids, and half a dozen members of the City Council. No doubt people, such as these, cannot be particularly anxious that his government should cease. They, at all events, can have no reason to find fault with him. It is to his misdirected patronage that some of them owe all that they

possess—that more of them are indebted for the imaginary elevation to which they think themselves raised. During a government which has now extended over a period of upwards of eight years, there is no object which he has more consistently and perseveringly sought to carry out, than the bestowing of every office within his gift upon the greatest sneaks and sycophants, and in a vast majority of instances, upon the most incompetent persons that the entire community enabled him to select. To whatever department we may look—wherever we seek for the objects of his peculiar favor and protection, we are certain to find persons who, if not worthless and dishonest, are at all events contemptible. We can scarcely recollect an instance during the whole period of his administration, in which he has exercised the patronage placed within his power with the high and honorable design of benefitting the country. Every other consideration has been made to give way to the endeavour to gather around him an army of officials, who would feel themselves bound to his interests, not so much for benefits conferred, as by the consciousness of not deserving them. By people such as these, his departure cannot be looked upon otherwise than as a cause for the deepest regret. The City Council, too, whom he has enabled for one night in the year at least, not exactly to mix in the society of, but at all events to parade in the same room with, persons with whom in their wildest day dreams they could never expect to associate—these people surely can have no desire to drive away the individual who has thus thrust them among their betters. It does not therefore surprise us that Captain Innes and Mr. Councillor Coyle should have so energetically denied, as we understand they did, that Sir George Gipps had remained here too long. This may be the opinion of these people, and the classes which they severally represent, but it is not the opinion of the people of New South Wales, and Sir George Gipps was therefore correct in supposing that no event could give the public greater satisfaction than his immediate departure.

As to the desire which his Excellency had stated that he had all along entertained to promote the best interests of the country, we can only say that we and the public must judge of its existence, not by his professions, but by his acts. And can any one who is familiar with the history of the last eight years—who is not altogether ignorant of his speeches and his dispatches—give him credit for being sincere in making such a statement as this? Whatever he may now say, at the close of his most calamitous administration, his acts at all events clearly indicate that, in all his conflicts with public opinion, the interests of this colony have had no influence upon his conduct or his deliberations. His undoubted ability precludes the supposition that he was not throughout fully aware of the injustice and the tyranny, which he so repeatedly and so pertinaciously advocated. Whatever tended to increase his power, and the power of those that sent him here, was always sure to meet with his regard—whilst no pains were spared, on the other hand, to diminish the freedom of those who were subject to that power. Professing liberal opinions, he has ever been the advocate of prerogative—and if he could have had his own way, we have no doubt we should at this moment be subjected to a system of Government little better than martial law. If then, as he alleges, his labours in this colony have undermined his health and shattered his constitution, we must say that he has suffered, not in the attempt to benefit this country, but in the endeavour to destroy it. However much, therefore, we may regret that he is no longer as vigorous as when he first came among us, we must deny that he is entitled to any additional share of our sympathy on the score of his having suffered in our cause. Those who have opposed him have no reason to reproach themselves for any of the consequences (if indeed his ill health is a consequence) of the conflict which they have felt themselves bound to carry on. If he is fated to leave our shores, and we are sure there is no one amongst us that does not wish him health and strength to do so, he will leave them without carrying with him one particle of the re-

gret of any portion of the community, save those whom he has taught to look up to him as their patron or their benefactor. When he has left us, he may say with the Roman poet,

Exegi monumentum ære perennius,

but it will be a monument which will record in lasting characters, not the benefits which he has conferred upon, nor the good that he has achieved for, this colony, but the countless evils which he has been the means of inflicting on it. We sincerely hope and trust then that this farewell, is, in reality, his last.

PANEGRIC ON SIR GEORGE GIPPS.

BY HIMSELF.

I am become a fool in glorying.

Oh, give me but another cheer,
To greet Victoria's name,
And I'll repress the burning tear,
That clouds my eyes with shame!

The thought that makes my heart despond,
And makes my spirit sick,
That any one should not be fond
Of Stanley, me, and Vic.

Give me a cheer—a drunken cheer—
Cheer, Innes, Duncan, Browne—
To strike their craven hearts with fear,
And shout the rebels down.

True, when those rebels I address'd,
And when they might have answered,
My speech in softest phrase I drest—
Essential oil of Hansard.

But *now* there's no one can reply,
Of all these croaking ravens,
And, with so many women by,
'Tis safe to call them cravens.

Besides, so many guests, who feast
My turkey, fowl, and jelly on,
Will never, for this night at least,
Show symptoms of rebellion.

The learned Judge who sung my praise
Has judged me too severely,
And much I doubt, for all he says,
He did it insincerely.

Not in *his* praises, but *my own*,
My reputation's trust is;
He's cool—but I will do myself
Enthusiastic justice.

There never was—you'll find it true—
A Governor my equal,
And all the good I've done for you—
You'll find out in the sequel.

My talents are extremely great,
My temper is seraphic,
And each despatch my pen doth scratch
Is eloquent and graphic.

I've always laboured to secure
The interests of the many—
That is, to make their masters poor,
And leave them not a penny.

In order better to direct
The stream of emigration,
The sales of land I've wholly checked,
And murdered speculation.

In order better to diffuse
The knowledge that enlightens,
I've abandoned the land to a priestly band,
Whom all instruction frightens.

In fact, there never was before,
And never, never will be,
A theme for song so loud and long
As *my renown* shall still be.

I think it right, on this *public* night,
To an audience rather shady
As a matter of *taste*, a few words to waste,
In praising up my lady.

For this appears, despite the sneers
Of clique or coalition,
The company that we have kept
Has been *beyond suspicion*.

From supper and dinner we've banish'd each sinner
From boudoir, hall, and gallery;
Our honor's so nice that to countenance vice
Would be worse than a fall in my salary.

No matron or maid that has ever strayed
From the path that is chaste and legal—
No sycophant slave, and no swindling knave,
E're sports in these halls vice-regal.

Then fill to the brim, and my blessing on him
Who drinks to the toast as I press him:
Here's a health to the man who's done all—that *he can*,
Here's a health to Sir George, and God bless him!

THE PRESS AND ITS CENSORSHIP.

"CENSORSHIP," so called from the "Censores" of Rome, "who exercised," says Milton, "a severe assize, surveying and controlling the privatest and slyest manners of all men and all degrees—who, as upright inquisitors, extended their notice to such the most covert and spirituous vices as would slip easily between the wider and more material grasp of the law, and with the majesty of whose office it stood to have no other serjeants or maces about them but those invisible ones of terror and shame, but which struck such reverence into the most undaunted hearts, as with one dash of ignominy to put all the senate and knighthood of Rome into a tremble." And Rome was free and virtuous so long as the authority of the Censorship was revered. It was reserved for a *plebeian tribune* to raise the first rebellion against this moral magistracy.

The facts are related by Livy. The Censors had been very active and strict in superintending the morals of the people—

[*Moribus quoque regendis diligens et severa censura fuit.*]

Many complaints against them had been made to the Senate, yet that body would not interfere, but a champion was found in Publius Rutilius, a *plebeian tribune*, who instituted a criminal prosecution against them. "The Censors," says Livy, "thereupon repaired to the temple of liberty, and shut its gates," [Censores extemplo in atrium libertatis adscenderunt, clausoque] "and the principal persons in the state taking off their gold rings in sight of the people, put on mourning." [Principes civitatis in conspectu populi annulis aureis positus, vestem mutarunt].

From this period is dated that degeneracy which terminated in the slavery of Rome, so close was the connexion between the privileges of the Censors and the liberties of the people; and, what the Censorship was *then*, the Press is *now*—a moral magistracy, with no other serjeants or maces but those invisible ones of terror and shame, and so long as the Press is respected, a people cannot be altogether corrupted or enslaved.

We do not write this with reference to the tribulations through which we have recently passed, for we trust that we are too magnanimous, and too modest, to make a parade and a merit of our martyrdom, but since our last, the public has, in our person, achieved a triumph, not over Mr. Robert Cooper, senior, (whose despicable insignificance we feel that we have swollen into undue importance,) nor over the three worshipful certifiers and their prostituted pens, but over the enemies of a free Press, and the conspirators against its independence.

We would add more, but we are reminded that there is yet another matter—*sub judice*—there is still a third ordeal through which we must pass—the prosecution instituted against us by Mr. Macdormott (tribunus plebis, the Publius Rutilius of his day). We certainly do not expect, indeed we do not wish, that in our case and upon our account, the principal persons in the state (the Governor and Commander-in-Chief, the Colonial Secretary and the Colonial Treasurer) should, as in ancient Rome, take off their gold rings in sight of the people and put on mourning, neither do we propose to repair to the temple of liberty, and close its gates, but we would wish to assure our readers, that the attachment to our principles, and our spirit, of the great mass of thinkers in the colony, is an ample consolation, and we would beseech our friends to be animated with an interest and a zeal on our behalf proportional to the persecutions we are undergoing.

SHAVE-BEGGAR GOVERNOR.

For my own health, I have staid here too long.

[Extract from the animated and eloquent panegyric delivered by the first gentleman in the colony, upon himself, at his own table, to an audience consisting of ladies and gentlemen.]

ONCE did I see a barber shave
A poor, cadaverous devil,
And put his finger in his cheek,
To keep the surface level;

The trenchant razor chanced to slip,
And cut the cheek in twain,
But little did that barber heed
The bleeding patient's pain.

He cried, "To grumble I have cause,
That razor is a stinger—
Confound your ugly lanthorn jaws,
They've made me cut my finger!"

Such is the mournful retribution,
At which the courtiers groan—
In ruining our constitution
Sir George has spoilt *his own*.

EPISCOPAL TYRANNY.

We have, within the last few days, received several communications, complaining of the disgraceful and degraded state of subordination in which the clergymen of the Church of England are held in this colony. It is a subject that has repeatedly occupied our most serious attention, and which must, sooner or later, be brought under the consideration of the Legislative Council. Under ordinary circumstances, it would not indeed be advisable that a body so constituted as that is, should be called upon to interfere in matters such as these—but the power which the Lord Bishop of Australia arrogates to himself, and is in the daily habit of exercising, over his clergy, is in a high degree dangerous to public liberty. On several occasions, this power has already been exercised with the most disastrous effect, and unless some decisive steps be taken to put an end to it, it is impossible to anticipate the many evils that may flow from its future exercise. It is to this improper influence, in an especial degree, that we now owe it that a wise system of national education is not in force in this colony—that thousands of our children are growing up in ignorance of the most elementary principles of knowledge, human and divine. The firm and united stand which the clergy of the Church of England made against the cause of Education, must be attributed entirely to that unreasoning obedience which their ecclesiastical superior has the power and the will to exact from them. In the state of slavery in which they are held, it is impossible that they can in any case act in opposition to the wishes of their bishop. And when we consider the wide influence which their body individually exercises over the community,

we can form some idea of the vast power which is placed in the hands of him, who is able to control and direct them. It is no less due to the clergy themselves than to the public at large, that they should be liberated from this state of thralldom—that they should be enabled to act and think with the freedom to which educated English gentlemen are entitled. On this subject we were glad to see that Mr. Lowe took occasion a few days ago, in his place in the Council, on a motion of Mr. Dangar's, to make some very eloquent and pertinent observations. No report of that speech having appeared in any of the papers, we submit the following abstract which we have obtained of it, to the careful perusal of our readers:—

"Mr. LOWE said, that he could not offer to the House anything so piquant as the very edifying discussion which they had just heard—a piquancy which subjects of this kind seem to have, above all others, a peculiar tendency to engender—nor did he mean, at that time, to make any observation as to the question which had been raised, whether the Bishop of Australia had abused the powers vested in him or not. That debate had arisen without any notice of the turn it took, and he would wish, before making any such charge, to give the supporters of the Bishop the opportunity of coming prepared for his defence; but this he would say, that the powers vested in the Bishop of Australia were too large for any man in a free country—too large for any human being in any country whatever. He did not now speak of the Church Act; the Church Act was extinct—was gone by the operation of Schedule C; and whether the Executive Council regulated their proceedings by that Act or not, was of little consequence to that House, so long as it had no share in their deliberations. What he claimed for the clergy of the colony was, that they should be placed, in all respects, on a par with their brethren in the mother country. He considered that the Church of England in Australia differed from the Church of England only in one respect, that in England that church was pre-eminent and predominant, while in Australia it was placed on a par with all other denominations. But he would maintain that, as regarded her internal polity—as regarded the relation between her different orders and the authority they exercised over each other—the Church of England here and in the mother country ought to be regulated by precisely the same principles. What, then, was the position of clergymen in the mother country in regard to their bishops? They held the temporalities of the church by a tenure which the bishop had had no power to meddle with. Until recently, the bishop could only eject a clergyman by entering himself into expensive litigation, and now, a clergyman could only be dispossessed of his living by the verdict of a jury of his peers. The clergy of the Church of England were not only respected as the ambassadors of Heaven, but were regarded as an independent race of country gentlemen, as free from control and influence of others as any portion of her Majesty's subjects. Of their independence no better proof could be offered than the stand which many of them were making against the express wishes of their bishop, as instanced in the dioceses of Exeter and London. How startling was the contrast in this colony! He found by reference to the Church of England Temporalities Act, that the clergyman was declared to be the tenant at will of the trustees in his residence and glebe, and it appeared, from what the Colonial Secretary had told the House that evening, that no clergyman could receive his salary without the certificate of the bishop, that he had performed the duty, which it is in the power of the bishop, by withdrawing his license, at any moment, to prevent him from performing. It was in the power of the bishop, at a moment's notice, to take a clergyman from the home where he had passed his life, and send him forth into the wilderness, the only alternative being the loss of his profession, and consequent ruin. It might be said, the bishop did not exercise these powers, but ought he to possess them—

*—qui nolant occidere quemquam,
Posse volunt.*

"He was not speaking of the exercise, but of the existence of the power. There was nothing like it, as had been truly said by the honorable member for Port Phillip, but the power of compulsory expatriation exercised by the Emperor of Russia. He thought the Council ought to repeal those odious sections of the Act, he thought the Council ought to address the Executive to place the clergy, as far as regarded their salaries, on the same footing as their brethren in England, and to relieve the bishop from the power of depriving them of their salaries, and vesting it in a jury of their peers. If it was the wish of the Council, he would prepare such an address and such an Act. He disclaimed all intention to interfere in matters of church discipline. Constituted as that Council was it ought not to do so, but of this he was sure, that by placing the clergy on the footing of a liberal, learned, and sacred profession, and thus augmenting the sphere of their influence, and increasing the dignity of their position; they would gain more, far more, for the cause of religion and morality than they could possibly lose in point of canonical obedience and subordination, by relaxing the iron band which bound up their will in the will of the bishop. It was impossible to analyse the mind of a clergyman under the present system, and to say how much was to be attributed to honest conviction, and how much to the consciousness of that power over their destinies which another possessed. He repeated that the change from this state of things would be cheaply bought even by a greater sacrifice of ecclesiastical discipline than was likely to result."

EUROPE.

By the *Rifleman*, which arrived on Wednesday last, we have received most important news. The meeting of Parliament took place on the 22nd January, when the Queen opened the House in person.

On the 9th of February Sir Robert Peel introduced his important measure on the Corn Laws—a measure which, if carried out, will be attended with the greatest possible good to the British colonies, as it is intended at once to abolish *all duty* on colonial grain. On foreign grain, a continuance of the sliding scale principle is to