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THE CATASTROPHE.

Suis et ipsa Roma viribus roit.—Hor.

We cannot but congratulate the Governor on the denouement of his last attempt at state-craft. Short as the late Session of Council has been, every day seems to have been an era in the history of the march of public opinion. Sir George found the Opposition disorganised and disunited, full of mutual distrust, and offering an admirable opportunity for a dexterous politician to triumph by the discords of his antagonists. He sought for topics on which they were united, and, happily for the future destinies of this colony, it was on these he took his stand. There were two subjects on which the Council had always shown itself tenacious—the oppression of the Squatters and the miserable misappropriation of the public moneys.

Happily for us, his Excellency was as tenacious as they. In a speech, the cowardly reserve of which deceived nobody, he intimated his intention to renew the Squatting Act. The answer was worthy of the proposition.

I have other temporary measures of great importance, was the insinuating announcement. They shall have all the attention they deserve, was the blunt reply. From that moment there was an end of division; the hand of the mighty minstrel had attuned the chords,

And every string's according gle
Was blended into harmony.

We must do the Attorney General the credit to say, that the end of the Governor obviously being to ruin his own cause, he could not have selected an advocate more able to crown his wishes with success. What was wanted to the folly of the plan, was amply supplied by the fatuity of its execution. Every topic which could irritate and unite, every argument which could provoke attack by its assumption, and promise certain victory by its weakness, every allusion which could render the Government odious, and every blunder which could render it despicable, were played off by this learned person, to the infinite delight of his enemies, and the burning confusion of his friends. All the tact and temper of the Colonial Secretary, which, on these trying evenings did not desert him, were unable to counterbalance the services of this valuable auxiliary.

A resolution of the gravest censure on Sir George Gipps—the major proposition of an argument accusing the Governor of a violation of the constitution, the minor of which any person can supply for themselves—the substitution of an Opposition leader for a Government hack, in the election court—and the vote of censure on the Colonial Office—all these carried without a division, in an assembly which, a year before, would have treated the first as disloyal—the second as discourteous—and the third as treasonable—show us the power of cohesion and combination which our Government can infuse into its enemies. And then the adjournment, moved on the ground of utter incompatibility between the Governor and the Council, as a milder expedient than refusing the supplies, as a measure of compassion to a beaten and failing enemy, and opposed only by Officials and Nominees. There was, indeed, what Cromwell used to call a crowning mercy, which left the Governor nothing but the ignoble revenge of stopping the meetings of Committees, and rendering all measures commenced abortive, by substituting a quasi voluntary prorogation of two months, for an involuntary adjournment of one. The

position of the Council is prouder than it has ever been before. Let us trust that it will be maintained—that while they meet Sir Charles Fitzroy in a fair-dealing and conciliatory spirit, they will yet remember that they are depositories of a power which, though too narrow and circumscribed to do much good, has yet been found sufficiently ample to prevent much evil.

For ourselves, as impartial lookers-on, we have drawn from the recent struggle the following conclusions. First, that the rule of "practice makes perfect," does not apply to Sir George Gipps, who is a greater bungler in the management of a popular assembly than he was when he began. Secondly, that the rule "save me from my friends," does apply with frightful precision to the Attorney General. Thirdly, that the colonists are rapidly awaking to the intolerable abuses of the Government under which we live, and to the importance of asserting and maintaining abstract constitutional rights. Fourthly, whilst the elected Members have gained in character and reputation, the unofficial Nominees have suffered in both, in a more than corresponding ratio. So low have they sunk, that the Attorney-General, with his usual felicity, produced, as a proof of their spirit, the fact that one of them thought of voting against Government, and then thought better of it. If this was not a good argument, it was at least a bitter sarcasm, far bitterer than its learned framer ever launched against the opposition. In fact, we can compare him to nothing but an elephant in an ancient army, which, irritated by darts and stones, turns its rage upon its own side, and tramples those whom it was brought into the field to defend. Fifthly, the existence of these nominees appears a piece of gratuitous infamy—the dragging of six members of the community through the dirt, by which nobody is any the better, and they are much the worse. If votes are wanted, give each of the six officials two, or the Colonial Secretary seven, or put twelve officials into the Council. We say nothing about influence, since there is no individual in the community so mean, so ignorant, so unenlightened, that his single independent opinion has not immeasurably more weight and influence, than that of a thousand men like these, who have sold themselves and their country for nothing, being content to receive, as a price for infamy, the opportunity which their seats in Council afford, of making their infamy as widely known and as thoroughly appreciated as possible.

THE CROWN NOMINEES.

PIRATA, the New Zealander, according to the account of Mr. Joseph Jener Merrett, in an oration which he delivered the other day, said—"I am but a young man; I have, therefore, but little to say. The speech of a young man is but of little importance in the estimation of elder men." Slightly paraphrasing this language, Mr. Allen, or Mr. Icely, or Mr. Parker, or any other one of the non-official six, might, if he possessed the good sense and laudable modesty of Pirata, with great truth and propriety say, whenever he is called upon to deliver his opinion—"I am but a Crown nominee; I have, therefore, nothing to say. The speech of a Crown nominee is of no importance in the estimation of any one." And this is, unquestionably, the fact. The Crown nominees have indeed reduced themselves to so low and degraded a position, that nothing that they can say, can possibly carry any weight or authority with it. We have no doubt—it is, in fact, evident, from the wording of the Act of Parliament itself—that the framers of that Act, intended that these nominees should occupy an independent and highly honorable station in the Legislative body to which they belong—that though appointed by the Governor, they were to be at liberty to act as freely as any of their elected fellow-members, according to the honest dictates of their conscience. On this point, we repeat what we said in the ATLAS of the 5th of April, last year:—"The twelfth section of the Imperial Act, 5 & 6 Vic., cap. 76, after giving the Governor power to appoint twelve members of Council, provides that not more than half the number of such non-elective members shall hold any office of emolument under the Crown within the said colony. Now, if it were intended that all the nomi-

nees should be bound to support the Governor, why was it thus expressly enacted that no more than six of them should be the paid officers of the Crown? Why was it thus distinctly provided, that one half of them should be free from vice-regal control? It was no doubt intended that the Governor should appoint those who were supposed to be favorable towards his policy, but it never was intended that when appointed, those independent nominees were to abide entirely by his arbitrary dictates, and to have no voice or opinion of their own." We are not aware of any attempt having been made to answer this argument, and we feel fully persuaded that it is unanswerable. Over the official members, the Act has given the Governor the most complete control, for the seventeenth section provides:—"That if any person who shall have been designated as a non-elective member of the Legislative Council as the holder of a public office, shall cease to hold such office, his seat in the Council shall thereupon become vacant." If the Commander of the Forces, or the Colonial Treasurer (to put an extreme case), were to differ in opinion from the head of the Executive, or (what is not quite the same thing) vote against his wishes, the Governor might easily put a stop to such contumacy, by at once suspending the delinquent from his office—for the suspension from his seat in the Council would then follow as a necessary and immediate consequence. The six official members are, therefore, tied hand and foot to the Governor, and they must vote as he directs them, for it cannot be for a moment contended, that they have any discretion while they thus hold their seats only on sufferance, and may be turned out at any moment. The Act clearly makes them mere voting machines in the hands of the Governor for the time being, and there can be no pretence to claim for, or expect from, them any portion of independence. And we admit that we see nothing unconstitutional in this. By holding office they may be presumed to identify themselves with the Executive—to approve of all its Acts, and to be at all times ready to give those Acts their support. But not so the non-official nominees—over these gentleman, when once appointed, the Governor has no power. The Act of Parliament expressly provides against the possibility of his exercising any control over more than six of the nominees, by enacting that not more than six of them shall be officials. The six non-officials are therefore left by the Act as free as the people's representative themselves. They occupy precisely the same position with regard to freedom of action as that of the Legislative Councillors of some of the old American colonies—the only difference between them being—that in the one case, they are incorporated with the representatives of the people, while in the other, they formed a separate and independent body, with powers equal to those of the House of Assembly. In those nominee Legislative Councils, it was never expected that the will of the Governor should reign paramount—it was never contended that they were not to be at liberty as often as they saw fit, to vote against the wishes of the Executive. Though appointed by the Crown, they felt themselves in no way fettered, but held themselves at liberty to take an active part against the Executive, without incurring the reproach of betraying their trust, or departing from their duty. The mere fact of those nominees sitting in the same house with the elected members, can make no difference as to the principle on which they should feel themselves bound to act. If they can consistently oppose the Executive, while they form a separate body, they can, with equal propriety, oppose it when they constitute but a portion of one legislative body. So far from our Constitutional Act degrading these non-official nominees into the mere tools of the Government, we think that it has given them a highly honorable standing, by placing them, in every respect, upon the most perfect equality with the elected members. We have no fault to find with the Act for enabling the Governor to appoint a third of the members of the Legislative Council. If the unsalaried nominees were to vote freely and honestly as they ought to do—as they have the power to do—and as the Act clearly intended that they should do—then there would be nothing, perhaps, to

complain of with respect to this power of nomination. It is undoubtedly better for us to have the nominees associated with twice their number of elected members, than to have our representatives sitting in one house, with a nominee Council, with equal power, sitting in another. This is too plain to be denied; although it may be doubted whether the Governor should have the power of appointing more than six officials, not for the purpose of forming a party, but to enable the Executive to bring forward its measures before the Legislative Council. The Act has, however, given the Governor power to appoint six non-official members in addition, and of this, we again say, we should not complain, if the duties of the office were rightly understood and honestly performed. And can any one say that they have been either rightly understood, or honestly performed? "These nominees have not," to use the strong language of Mr. Wentworth, "shown, on any one occasion, that they felt either the dignity or the importance of their position. They have, on the contrary, voluntarily abandoned their independent functions, and degraded themselves into the mere servants of the Crown." From the very outset they have taken the part of the Executive in every contest that has been carried on. One or two of them did, indeed, exhibit some degree of independence, but the taunts of the officials, after procuring a few resignations, soon schooled the gentlemen who remained into submission. It will no doubt be recollected how Mr. Lowe was attacked, when a nominee, not only by the nominee officers of the Government, but also by an elected member, in the person of that greatest of all Government hacks—the then member for Camden—for voting against what they were pleased to term his constituent, as though he had been guilty of some enormous breach of trust. Mr. Lowe indignantly denied that he was tied down to vote according to the orders of the Governor, but rather than submit to the everlasting taunts of such men as Messrs. Therry and Plunkett, he resigned his seat, and since then, the nominees have acted upon a rule which one of themselves had the unblushing audacity to avow, and that is, that they are bound to vote for the Government even against the dictates of their conscience. In no one case of importance have they deserted the ignominious position to which the observance of this rule has degraded them. The Attorney-General, indeed, thinks otherwise:—"He would refer honorable members to the vote of the nominees, ever since this Council first sat—he would refer them to the vote of the honorable member from Miller's Point this night, and he would insist that those votes were given as independently as any votes of any members who were sent into the House by electors as representative members. There could be no doubt that the nominees of the Crown came into this House under the supposition that they would support the general policy of the Government by which they were nominated, but they were not pledged to do so. Far different was their case from that of members who came into the House, after making voluntary pledges—pledges uncalled for—to the constituencies whose suffrages they solicited." And what will a reference to the votes of the nominees prove? Will it prove their independence, their honesty, their spirit, or the reverse? Can the Attorney-General point to a single instance, since the resignation of Mr. Lowe, in which any of the nominees have opposed the Government in any matter of political importance. No doubt, in some cases, where the Executive did not feel itself particularly interested, one or two of the nominees did vote against the Governor, but on all the great and important questions, they were invariably found at the miserably degraded post, which their official brethren had assigned them. Even the allusion made by the Attorney-General to Mr. Lamb was incorrect, for although he spoke in favor of the amendment which Mr. Wentworth was about to move, he declined to vote at all, at the urgent solicitation, as we have been told, of the Attorney-General himself. So that we have this gentleman publicly praising Mr. Lamb for his independence, but privately requesting him not to be independent. He will allow the non-official nominees to speak as independently as they like—the Government can put up with that—but the voting is another thing. After the countless divisions in which the nominees have voted in a body against the people's representatives, it is worse than a farce to talk of their independence. No person who has been in the habit of seeing the truly humiliating way in which they have followed the Colonial Secretary in every division upon constitutional points, can for a moment give them credit for acting conscientiously. It only adds, therefore, in a tenfold degree to their indescribable baseness, to hear them take credit to themselves for acting without compulsion. We know of no state of slavery in the history of legislative bodies, more complete than that to which these non-official members have voluntarily submitted themselves. With full power to act freely and boldly if they think fit—with nothing but the smiles of the Governor to compensate them for compliance with his wishes—they have yet not hesitated to abandon the path of rectitude and honor for that of servitude and disgrace. Forgetting that the station of a nominee member of the Legislative Council, can be respectable no longer than it is associated with independence of thought and action, they have bartered away their fame and their reputation, for the

miserable privilege of giving a vote which they cannot call their own. True it is that the men who have done this are men of no political importance, but it is not the less humiliating that six persons calling themselves gentlemen, should be found amongst us, ready, for any consideration, to act so despicable a part. In the hands of honest and able men, the office of a nominee might, and would be, influential and respectable. Under a governor of more liberal and enlightened views than those by which Sir George Gipps has shown himself to be actuated, wiser and better occupants might be found for the nominees' seats, than the six miserable scarecrows that now so unworthily occupy them. Until such a change as this takes place, there is but one really useful end which the non-officials can fulfil, and that is that, like the Spartan helots, whose drunken revels served as an incentive to sobriety for the children of their masters, so their mean and despicable servility may serve to make liberty, and manliness, and every other honorable quality, the more dearly prized amongst ourselves.

MR. ATLAS—The following paraphrase of "My name is Norval," was picked up by a friend of mine in Macquarie-street, and supposed to be part of what Sir George Gipps intended to say at the opening of the Council; its loss will account for the brevity of his speech.

I am, yours truly,

A SUBSCRIBER.

"My name is Walker; on the colonial hills
My foes may feed their flocks—a cursed crew,
Whose only aim was to defeat my plans,
And get their enemy (myself) recall'd from home:
For I had leagued with Stanley, and I longed
To carry out the views of that great lord,
Had he not granted what he once denied.
This year, which is yet young by seven months,
Had scarcely well commenced, when by the mail
A box of sealed despatches from my friend Stephen
Burst upon my view, deluging the table.
Old Parker fled, affrighted at the sight;
I alone, with throbbing brain and palpitating heart,
Hovered about the heap, and marked the fatal scroll,
Then hastened to my room, where as I went
Parker, with still pale looks, I met advancing;
I opened and read: ere a word he spoke
The scroll revealed, before the year was out
Fitzroy would claim the title now I wear."

EUROPE.

The arrival of the *Shamrock* steamer from Port Phillip this week has put us in possession of English news a few days later than that received direct by the *Rifleman*. As the steamer was leaving the Port Phillip heads, a vessel from England was coming in, from which a few papers were obtained extending to the 18th of February.

In the *London Gazette*, of February 13th, Sir Charles Fitzroy's appointment appears, as Captain-General and Governor-in-chief of New South Wales.

Sir Robert Peel's motion for going into Committee on the Corn Laws, had been carried.

There does not appear any other news of interest immediately connected with these colonies.

The Lords Commissioners for executing the offices of Lord High Admiral, have advertised for an immediate supply of twenty thousand loads of English oak, a vast quantity of oak tree-nails and other wood most in request for ship-building: a contract of so extensive a description has not, it is believed, being announced since the conclusion of the war.

There are building and outfitting on the Clyde at present thirty-seven vessels, amounting in the aggregate to 18,027 tons. Of these, twenty-six are iron steamers, collectively amounting to 14,137 tons, and 5,580 horse-power; the residue being timber-ships, amounting to 3,890. Valuing the timber vessels at £20 per ton, the iron steamers at £25, and the machinery at £40 per horse-power overhead, the total value of these vessels, when ready and equipped for sea, will amount to £654,425.

We understand, on good authority, that her Majesty's steamer *Resistance* is to return to Monte Video as soon as she is refitted, and is to carry the 45th regiment to the Cape of Good Hope, its original destination before it was diverted to another purpose by Mr. Hamilton. We are informed, also, that Mr. Hamilton is recalled.—*Chronicle*.

MORE CONVERSIONS TO THE ROMAN CATHOLIC CHURCH.—Three clergymen of the Church of England, and a young gentleman from Littlemore, were on Wednesday last received into the Roman Catholic Church, at St. Mary's College, Oscott. Mr. Newman assisted at the ceremony.—*Church and State Gazette*. The same paper states that the Oxford secession list is thus increasing:—31. Rev. F. W. Faber, late fellow of University College; 32. Rev. W. U. Richards, M.A., Exeter College; 33. John James Calman, B.A., Worcester College; 34. E. Earle Welby, Esq., M.A., fellow of Magdalene College. We have also good reason to believe (it is added) that another, making a third member of the parochial clergy of Oxford, has gone over.

The Jewish Reform Committee sitting at Frankfort, at the head of which are Messrs. Goldschmidt, advocate, Creusenach, professor; and Schwarzbild, physician; and to which all the most eminent Jews of Germany have adhered, has decided that the Jewish Sabbath shall be henceforth kept on Sunday.

DREADFUL RESULTS OF RAILWAY SPECULATION.—An English friend of ours, who called at our office, yesterday (Tuesday), on business, gave us the following account of the melancholy results of railway speculation. It was contained in a letter to him, from a friend, in the north of England. The parties referred to are all personal friends of his family; and it is to be feared that the details but too faithfully represent a wide and extending field of misery and ruin, brought about by the mania of Railway speculation. The following is an extract from the communication:—"Trade here is in an awful stagnated state; and we are expecting such a crash as has seldom or never been known in L———. You will, before this, have heard of poor H———'s suicide. The family have wisely kept all as secret as possible; but speculation has left his widow and child dependent on their friends for every-

thing. His widow will be confined of her second child in the ensuing month. A——— has stopped payment: he has lost in speculation £12,000. He is able to offer 6s. 8d. in the pound, which will be accepted. F. poisoned himself this morning, solely from the consequences of injudicious share-jobbing. He leaves a large family with sorry prospects. Twenty years of unsullied reputation have thus been blasted by six months of folly. P. and Co. have shut up; and they have told me themselves that they have not one penny left. Six months ago, H——— came into the house with a capital of £5,000, and it is all gone. We have many more minor cases of suffering; and perhaps no family in this district can say, that individually and relatively they are unscathed by this devastating mania.—*Belfast Whig*.

METROPOLITAN DRAPERS' ASSOCIATION.—Last night a public meeting of the assistants to drapers in the eastern districts of London, was held in the Theatre of the Eastern Institution, Commercial-road, G. F. Young, Esq., in the chair. The meeting was addressed by employers, clergymen, and others favourable to the lessening of the hours of labour, and to the propriety of affording assistants an opportunity of improving themselves mentally and morally. Amongst the objects of the Drapers' Association, the secretary stated that one was the raising of £5,000 as a capital fund.

MERCHANT SEAMEN.

The Commissioners of Customs having had under their notice a representation from the Registrar of Merchant Seamen in regard to the certificates of receipts for the lists described by schedule G of the Act 7 and 8 Victoria, cap. 112, to be granted by the collectors and comptrollers of the revenue to masters of vessels, and referring to an opinion recently given by the law officers of the Crown (a copy of which is given below) as to the construction of the 3rd, 26th, and 27th sections of the Act, and the Registrar having stated, that there is reason to suppose that many vessels have left the United Kingdom since the Act came into operation, the masters of which were not provided with the said certificates, and suggested, that as the collectors and comptrollers are legally required to give such documents, and as the production thereof is necessary before the tide-surveyor of Customs can legally clear the vessel inwards, that the collectors and comptrollers may be instructed to question the masters of all vessels at the time of reporting inwards as to the possession of such certificates, informing them of the penalties to which they are liable, under the 26th and 27th sections of the Act, for non-compliance with the requisites thereof, and in the event of their not being furnished therewith, to apprise them that the proper course will be to communicate with the registrar of seamen, who will, if the lists are in his office take measures for having the receipts forwarded to the parties; and that in future cases, when the lists (schedule G) are transmitted to the collectors and comptrollers by masters of vessels, and no parties attend to receive the certificates, the collectors and comptrollers do attach such certificates to the lists, and transmit the same, together with their weekly packet to the registrar:—it has been resolved that the propositions are approved, and ordered that the proper officers at this port, and the collectors and comptrollers at the several outports, do in future govern themselves accordingly; and copies of the opinion of the law officers of the Crown referred to have been delivered to them for their information and government in the matter. The following is a copy of the opinion alluded to:—"We are of opinion that the words of the 3rd, 26th, and 27th sections of the 7th and 8th Victoria, cap. 112, are imperative upon the officers of the Customs, and therefore—1st, a party depositing a document is not entitled to a certificate unless the document contains the particulars required by the schedule to the act, and if the copy of an agreement be deposited it is not a complete document unless it contains copies of all the endorsements in the agreement; 2nd, the Custom-house officers are bound to give a receipt for a document, although it may not be demanded; 3rd, the tide-surveyor is not justified in clearing a vessel inwards until receipts are produced of the documents A G C having been delivered; 5th, the masters of coasting vessels are not entitled to a transire until a certificate be produced of the delivery of documents B and D.

"FREDERICK THESIGER, FITZROY KELLY, RICHARD GODSON."

AUSTRALIAN AGRICULTURAL SOCIETY.

The directors of this company held their annual court on Tuesday afternoon, at their offices in King's Arms-yard, Moorgate-street, to lay before the proprietors a statement of the result of their operations during the past year.

The Chairman, J. S. Brownrigg, Esq., M.P., read the report, which, at the outset, congratulated the proprietors upon the general improvement of the colonies, and the favorable prospects they held out. There had, however, during the past year, been no improvement in the sale of live stock, and a still further diminution in the demand for coals had taken place; yet, by the economy used in the company's operations for the year 1844, there was a considerable increase in the balance of receipts over disbursements, as compared with the three preceding years. The herds and flocks belonging to the company were in good condition, though many had been lost and injured by casualties and unavoidable accidents. At one time 80 sheep were killed by a fall of hailstones. The total number of sheep was 117,257; of horned cattle, 7,452; of horses, 874; and 58 asses, and mules. The seasons were very favorable, and the stock generally was in good condition, colonial furs being bought up greedily, and everything wore an appearance of improvement. The sales of the company's stock in 1844 were extremely small, producing only £481 0s. 4d. The number of persons employed upon the company's property amounted to 511 altogether, 307 of them being free men, 103 ticket-of-leave men, and 101 convicts, showing a considerable diminution in the employment of the latter. A large quantity of tallow had been manufactured on the estate, besides the salting of a great number of casks of beef. There had been shipped during the past year 400 bales of wool from Port Stephens, and 213 from Peel's River. The net produce of the sales amounted to £17,376 7s. 9d.; 354 hides, 56 horn tips, 48 casks of tallow, and 2,608 wood billets, for wheel spokes, had also been imported, and realised the further sum of £345 18s. 5d. The revenue for the year 1844 had enabled the directors to propose that a dividend of £1 per share be now declared, and made payable on the 27th instant, being at the rate of £3 6s. 8d. per cent. on the paid-up capital of the company. In conclusion, the report stated that the company had obtained a license from the Home Secretary for the alienation of 500,000 acres of their land. The Chairman concluded by moving that the report should be received and dealt with in the usual manner, which was carried unanimously.

Some routine business was then despatched. The chairman and directors of the company were re-elected for the four ensuing years, with thanks for their attention and services.

The balance-sheet showed that the receipts for the past year had been £35,905 13s. 1d., and the disbursements £32,011 9s. 10d, leaving a balance in hand amounting to £3,894 3s. 3d.