The Atlas

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THE ATLAS OF THIS DAY CONTAINS:—

THE BISHOP'S CORRESPONDENCE.

Since the days of Hildebrand, no species of misgovernment or oppression, however disgraceful or villanous, has wanted the zealous and active assistance of a bishop. No representation of a modern tyrant, can be considered in any way complete, unless the figure of a mitred prelate adorns the back ground of the picture. The great end and aim of episcopacy, in every shape that it has assumed, and in almost every period of its existence, have been to establish priestly power and domination over the temporal affairs of mankind—to sink prince and people alike under the all-embracing arms of a despotism, the most absolute and debasing. The enlightenment of the present day has, thank God, liberated us, to a great extent, from the priestly tyranny of former days—Prime Ministers are no longer selected from the Sacred College of the Vatican—the days of Ximenes, and Fleury, and Mazarin, and Wolsey, have passed away—the Church no longer controls as she was wont to do—but bishops, remembering what they once were, cannot help interfering, upon every available occasion, with politics—but ever, as of old, on the side of prerogative, and against liberty. It need not, therefore, surprise any one that Bishop Broughton should take more trouble with the squatting question, than with his religious duties—that he should, in fact, in a great degree, neglect the latter, to pay attention to the former. It need not surprise any one that he should pervert the reasoning powers which have been bestowed upon him, and prostitute the talent which he possesses, and the learning which he has acquired, for the purpose of endeavouring to uphold a system of policy, which he must know to be alike injurious and unjust—to be subversive of constitutional liberty, and prejudicial to the best interests of the present, and many future generations. It need not surprise any one, that in thus attempting to establish and support arbitrary power, and make the Crown's prerogative supreme in this colony, he should have descended to the most paltry manœuvres, and have adopted artifices as disingenuous as they are contemptible. The publication of his letter to his anonymous friend, has therefore filled us with no astonishment. We knew our man, and were prepared to expect this, and much more, from his unscrupulous ingenuity. When the *Times* took up the cause of the squatters of New South Wales, and condemned the Bishop for his improper and misdirected interference with political affairs, he well knew that it was of the utmost importance, to reply in some way to an attack thus made in the face of the world, and by an antagonist so powerful. Sir George Gipps and he might be able perhaps to despise the newspapers here, but the *Times* was far more influential than these two magnates, and an article in that great organ of popular opinion, might extinguish their importance for ever. It became necessary, therefore, to enter upon a defence of some kind or other. But to do this in a manly and straightforward way would not have suited the Bishop, and accordingly, a letter was written to some imaginary friend, and shown to Sir George, who, it seems, requested a copy of it for publication. To this request the Bishop replied in the following very amusing manner. "My dear Sir George—I assure you that if you do my paper the honor to think it will do any good, it is quite at your service to make any use that you may deem best, either in sending it to Lord Stanley, or any one else. It is a mere private communication, but written certainly with the design that it should be circulated among my friends, lest they should be persuaded by the *Times* that we had been committing treason, while they all believed we were going on quite correctly. I shall be glad if you can secure its being considered in this light, as I have no particular wish to see it in print, but in any way, I shall be glad if it can do good." This note, and the letter to the friend, were therefore packed up carefully by Sir George, and transmitted to the Secretary of State, and by him laid before Parliament, for the information of the British people. In this way, then, was the *Times* answered, and the Bishop saved from the indignity of publicly coming into collision with a newspaper, even though that newspaper be the first journal in the world. The trick is too transparent to need any confirmation beyond that which it exhibits on the face of it. We shall therefore pass at once to the letter which such pains were taken to make public. We have carefully read this letter through, and are unable to discover anything in it that has not been already a thousand times refuted. With the mock humility which is one of the distinguishing characteristics of his order, he says—"As my name is drawn from its *obscurity*, in connexion with the share which, as a member of the Legislative Council, I have borne in supporting the proposed regulations of the Governor, I am rather anxious to place in your hands a true account of the whole matter, which you will be at liberty, as it may seem good to you, to show to any one who takes an interest in me and my proceedings." He then goes on to advert to the fact of his having for several years past made the subject of the administration of the waste lands his peculiar study, on the principle that it is the duty of a Bishop to take a part in advising:—"Upon the means by which a country, now destitute of inhabitants, may be best supplied with them, and how the benign influence of the Church of England may be made to expand through vast deserts, which it has not as yet even reached the boundaries of." He does not however go on to show how the establishing of a grinding despotism, is to call into existence a numerous, virtuous, and contented population—how gentlemen who have been born and nurtured from their earliest days, under the protection of free institutions, are to voluntarily submit themselves to the capricious exercise of the Crown's prerogative, and fill the wilderness with people in order that he may have an opportunity of making them religious. When we look around us and see what this prelate is doing under our very eyes—when we see that under his own immediate personal supervision, his clergy are permitted to preach forth the most unscriptural doctrines, to the continued discredit and daily diminution of the members of the flock committed to his care—when we see the Church of England, not in the wilderness, but in populous towns, hourly falling into contempt under his guidance, we can have but little faith in either his desire or his ability to become the apostle of the desert. He must show his capacity to cause the "benign influence of the Church of England" to expand in the settled districts, before he can expect us to give him much credit for being able to cause its expansion beyond the boundaries. There is an ample field for his apostolic labors in other places than the wilderness; and there are other means of promoting the cause of Christianity than the establishment of despotism.

With respect to the ownership of the waste lands, he seems to labour under a strange confusion of ideas. He first speaks of them as being "vested in the Crown, for the benefit of the *nation at large*;" next, as "the rightful patrimony of all the people of the *United Kingdom*"—then, as belonging to the "people of *England*"—again, as the patrimony of the "people of the *United Kingdom*"—again, as being held by the Crown "for the use and benefit of the *whole people of England*"—then, as the property of the "*English nation*"—then, again, as the right "of the *whole people of England*"—and, lastly, as held "in trust for the *whole people of the United Kingdom*." So that it is impossible to say whether, in his opinion, these lands belong to the people of England—the *whole* people of England—the people of the United Kingdom—the *whole* people of the United Kingdom—the English nation—or the nation *at large*. We have always understood it to be a settled point, that the waste lands of this colony are the common property of every member of the British empire—a doctrine which we ourselves have always recognised, only on the same conditions, however, that our interest as colonists in public lands in England would be admitted—the condition of local residence. If a British colonist goes to England, he has an interest in, and can exersise a control over, public property there—on the same terms only, ought a British subject to have an interest in, and exercise a control over, public property here. On these grounds have we all along maintained the right of our own representatives to manage our waste lands. The Bishop, however, has but a vague notion of this question, upon which all the details of the squatting regulations depend—and we, therefore, have a right to consider his opinion in such a matter of very little consequence. If, (clear-headed man as he is generallly acknowledged to be,) he is so entirely at a loss upon the main point, how great must be his ignorance and incapacity as regards the complete question in all its details.

The argument urged by the Bishop in favor of the squatting code of Sir George Gipps, is the danger which he apprehends—from the squatters ultimately turning their permissive possession into a fee simple. "It was also evident," he says, when speaking of a state of things existing before any squatting regulations, "that under such a system, the whole of the lands were silently passing out of the hands of Government, inasmuch as if that tacit connivance were much longer perservered in, the present occupiers would, through sufferance and usage, acquire a title, against which no other claim could be effectually pleaded." And, in another part of his letter, he says:—"Every suggestion which I have seen designed as a substitute for the regulations of Sir George Gipps involves, in some shape or other, this condition—*That the squatting stations shall be secured in fee simple to the present holders.*" This last assertion, we hesitate not to say, is as untrue as the danger which he over and over again apprehends from the pretensions of the squatters, is unreal, and without any foundation whatsoever. Any one who knows anything of British law, well knows that the occupancy of the squatters can never give them a title in fee simple—and, as far as we are concerned, all that we claim for them is uninterrupted enjoyment of their runs until they shall be required for sale, and no longer. This might secure them a long or a short continuance of their possession, but it is all that they are legitimately entitled to—all that the Legislative Council of this colony would confer upon them—but more—far more than they will ever obtain from a Secretary of State who suffers himself to be advised by the Bishop of Australia. "Hundreds and hundreds of times," says the Bishop, "have I been answered, 'how can we do anything towards decency and improvement, when there is not a foot of land that we can call our own, and we have no security but that as soon as we have laid out our money upon it we shall be ejected' and the force of the argument must be acknowledged." And on this he arrives at the conclusion that the "only course of proceeding by which the rights of the Crown could be maintained, while every reasonable inducement to improve his social and religious circumstances would be offered to the occupier, was that of enabling him to acquire, by purchase, the right of property in a select and limited portion of his station, on which his buildings might be erected, and improvements made, and securing to every such purchaser, on the faith of Government, the right of occupation over the whole run during a number of years to be determined on." So, then, it appears, according to the Bishop, that the squatters will never make permanent improvements, because they have no certain tenure of their runs, and he proposes to *compel* them to purchase three hundred and twenty acres for £320, in order to meet the objection. But we would ask the Bishop what is the value of 320 acres of land in the interior, without the adjacent run? His friend Sir George has already told us, less than one farthing per acre. We would further ask him what would be the

value of improvements on 320 acres when cut off from the run—and further, what person would be fool enough to go to any expense upon a piece of land which the caprice of Government might at any moment render absolutely valueless to him? We can look upon this scheme of a compulsory purchase in no other light than an indirect and dishonest trick, invented by the Bishop to add to the burthens of the squatters, and still further sink them under the weight of the Crown's prerogative. As a means of raising an enormous Crown revenue its efficiency cannot for a moment be doubted, but as a concession or an advantage to the squatters it cannot in any shape be considered—and it is a deliberate insult in the Bishop or any body else so to represent it.

We have not time now to go through the whole of this letter. We believe however that we have touched upon its most important features. Throughout we find the ardent admiration which the writer has for arbitrary power; and in the concluding paragraph, he states it to be a favourite notion of his "that the rights and liberties of the people are best maintained by giving due support to the prerogative of the Crown." He is not the first Bishop that has made a similar assertion. We trust however that the people of New South Wales will in this matter, consult the pages of history rather than the letters of the Bishop of Australia. We are no admirers of prerogative, and have as little respect for impeachments or acts of attainder. The latter have long since fallen into disuse, but we confess that we should not have much objection to see the practice revived once more, for the edification of this dangerous and politically dishonest prelate. Archbishop Laud has found an equal in guilt, why should the punishment of that guilt not be equal also?

THE CONTRAST.

A FRAGMENT.

When the old man, the eloquent and wise,
Beneath the lustre of his own bright skies,
With more than Nestor's sweetness on his tongue,
Inflam'd the bosoms of the ardent young,
The name of "Teacher" was a glorious name,
And not, as now, a sad reproach and shame.

On that bold brow sat *Honor* proudly throned,
And *Wisdom* in that voice so heavenly-toned,
In that high gait, with which the earth he trod,
He seem'd his own ideal demigod:
And well the tender soul with magic skill,
He knew, to raise, inspire, inflame and fill.

How chang'd the scene has "Dickens" plainly shown,
Now "Squeers" has made the teacher's name his own;
And while *in many* a pedagogue appears
The mean and despicable soul of Squeers—
Whether the creature be unknown to fame,
Or branded with a *Doctor's* luckless name,
In every town you see the creature's face.
In many a youth the creature's impress trace,
Cringing and narrow-soul'd, and with a brow
Which dares not one great sentiment avow;
Or if *some* boldness on his brow appear—
"A dog in forehead, though in heart a deer"—
You see the thing the pedagogue has made,
And curse the creature and his slavish trade.
Blush for *your child*, whom you had sent *to learn*
Beneath a creature whom you loathe, and spurn
Each little paltry meanness in its turn.

H.

Sydney, December 1, 1846.

SIR GEORGE GIPPS AND THE BISHOP TRIUMPHANT.—FINAL RUIN OF THE COLONY.

SUBJOINED our readers will find extracts from papers ordered to be printed by the House of Commons. The importance of these documents cannot be exaggerated. We commend to the attentive perusal—to the astonishment—to the indignation and the contempt of our readers. We can only now stop to notice two particulars:—1st. That all cattle feeding on Crown lands are to be impounded, and thus settlers *within* the boundaries stripped of those runs, for the sake of which, in nine cases out of ten, the land was purchased. 2nd. That the price for which the Bishop has sold the colony to its worst enemies is one sixth part of the spoil. Whence his Lordship drew this ultra-Levitical claim—whether from the fact that one seventh of the land once did belong to him, and was thought too much in those dark days, which we have outlived, we do not stop to enquire. But if bribery be the order of the day, we will undertake, on behalf of the community, to raise much more than a sixth of this projected revenue, as a doceur to any Government that will relieve us from him altogether.

No. 6.

(No. 178.)—Copy of a Despatch from Governor Sir George Gipps to Lord Stanley.

Government House, Sydney,
22 August, 1844.

My Lord—I have the honor herewith to forward the following petitions, which have been placed in my hands for transmission to Her Most Gracious Majesty:

1. A petition from certain stockholders, and other inhabitants of the city of Sydney.
2. A similar petition from the stockholders and inhabitants residing at New England and Port Macquarie.
3. A similar petition from the stockholders and inhabitants residing in Maitland and its neighbourhood.

These petitions are all to the same effect; indeed copies of each other, and have grown out of the meeting of squatters which was held at the Royal Hotel in Sydney on the 9th April last, as reported in my despatch, No. 84, of the 16th of the same month.

The prayer of the petitions simply is, that her Majesty will divest herself of all control over the Crown lands of the colony, in order that they may be held by the present occupants, for a period of not less than 21 years, and subsequently purchased by the same parties, at a price to be fixed in the colony, without reference to Parliament.

My former despatches to your Lordship will sufficiently show, that I feel it my duty to urge on her Majesty's Government, the most strenuous resistance to these demands.

I have, &c.
(Signed) G. GIPPS.

Enclosure A. 1. to Minute No. 27 of 1844.

PAPER delivered to the Executive Council by the Lord Bishop of Australia on the Squatting Question.

THE observations contained in the paper which, on the requisition of your Excellency, I submitted to the Council on the 24th of March last, conveyed so fully my sentiments as to the occupation of Crown lands beyond the boundaries, that, if the regulations of the 2d April formed now the only question, it might be sufficient to refer to that paper, as conveying the opinions to which I still adhered; but the spirit in which those regulations have been received, and the tone in which they have been animadverted on in the document now laid before this Council, have completely varied the features of the question.

A report in which doubts are raised as to the competency, if censures be not also cast upon the motives, of your Excellency and this Council, cannot be brought officially to our notice without demanding, according to the best judgment which I can form, some vindication of the proceedings thus called in question.

At the same time, it must not be lost sight of that, although the terms on which the Acts of the Executive Council are repeatedly alluded to in this document cannot be noticed without regret, the decisions there expressed, and the evidence upon which they are grounded, can carry no greater weight than may be attached to an *ex parte* statement. The members of the select committee are, without exception, members also of a political association, which stood already pledged to a most unfavourable decision as to the regulations. Among the witnesses there are few—comparatively very few—whose interests are not closely bound up with pastoral pursuits, and who must therefore unconsciously to themselves have spoken and written with a bias upon every question connected with that occupation. Even of the Legislative Council itself, a majority comprising nearly two-thirds of the entire number of members belong also to the Pastoral Association.

It must therefore be a source of consolation to your Excellency and the members of this Council, under the unsparing censures which have been heaped upon them, to find that these are no more than the repitition of a condemnation which had been already determined on and pronounced. To no other cause than this is it possible, with so much appearance of reason, to attribute the hasty conclusions which the committee has frequently been led to adopt—conclusions not only unsupported by any evidence, but even contrary to the bearing of that which they have themselves recorded. This is manifest with regard to many subjects, especially as to one most intimately connected with the character and propriety of the regulations of the 2nd April—that is to say, the minimum upset price of land. The committee observe, that they have collected a body of facts and opinions likely to have weight with those upon whom the final decision of the question will rest. It will be found that, so far as relates to the minimum price, the evidence quoted by the committee as that on which the greatest stress is to be placed contains not a single proof of facts, and the opinions are no more than bare assertions which tell against the conclusion they were designed to establish. The present minimum price, it is positively laid down, is too high. Instead of offering any proof of this, it is assumed that the effect of raising the price to £1 per acre has been to put a stop to the sale of Crown land altogether, and so to prevent the continuance of immigration; and this being once taken for granted, the desired conclusion is easily arrived at. One witness indeed observes, it would be "difficult to explain briefly how this effect has been produced, or even at large in an essay." Nor indeed is this witness or any other desired to afford this explanation; but the assertion that such an effect has followed is repeated by numerous witnesses, all concurring in the persuasion, that the augmentation of the price of land has destroyed the land fund, and put a stop to immigration. But on a more attentive examination of the evidence, the first conclusion would appear to be, that the same effect would have followed no less if the minimum price of land had been continued at 5s. per acre. Where is it shown, or how can it be shown, that the effect of adhering to that price would have been to apply the boundless territory of Australia to the use of civilized man, when this very body of evidence proves, that they who purchased extensively at the lower price are no less sufferers than they who purchased at the higher, or that both parties have lost their all?

Mr. B. Boyd declares his persuasion, that "the spirit for immigration and desire to invest money in this colony were to a very great degree checked by the alteration in the price of land" (1); and yet he immediately adds, that with the experience he has gained since he came to the colony, he feels convinced no person could purchase land for grazing stock upon at any price (3). He refused to purchase 9,000 acres, commanding all the water upon very extensive back runs, in one of the oldest settled and most populous parts of the colony, for £1,000, or 2s. 2d. per acre, the back runs being given in. He not only "considers 5s. too high a price to pay for land for feeding sheep, but it is one which it is impossible for the grazier to pay" (4). A whole run is not worth 1s., nor even 6d. per acre (6). He does not consider that persons can afford to graze their stock upon land purchased at any price (3, 4, 5, 6). This conclusion is confirmed by Sir Thomas Mitchell, who having mentioned 2s. 6d. to 5s. per acre as a moderate price for land, immediately adds, that it would not be a proper price at which a sheep farmer would purchase the whole of the land occupied by his sheep (57,66). The minimum suggested by this witness, although of a very peculiar character, is apparently the only one which could have ensured a continuance of purchases. "I see," he observes, "no difficulty in determining an upset price. All that is necessary is, to take care that it be made so low that no fall in the prices of wool and stock could affect its value as a safe investment for the production of these articles"(11). But how far that minimum may exceed without violating, or at least endangering, the stated condition, is no where shown. The same persuasion as to the real value or almost worthlessness of land for purchase, and as to the impossibility of purchasing profitably to a large extent at any price, is expressed by every other witness. Mr. Bloxsome says, "All land purchased beyond what can actually be brought into cultivation is so much capital thrown away. It is impossible that any purchased land, no matter how low the Government price may be, can ever pay for mere grazing purposes" (4). "I see no actual objection to purchasing in small quantities for cultivation, but by the calculation just made, I have shown that for no purposes of grazing is it possible to buy land even at the lowest minimum price of Government, namely, 5s. per acre" (39). Mr. Boyd also, appealing to past transactions, says, "I believe I shall be borne out in opinion by all and sundry, that most of the parties who bought land for grazing, look upon it now as so much money thrown away" (3). With these uncontradicted statements before them it is quite inexplicable how the committee can have allowed themselves to state as their conclusion, that the rise in the price of land to the minimum of £1 per acre has put a stop to the sale of it. Is it not in the opinion of every witness most evident that to purchase on a large scale for grazing, at any price whatever, must be ruinous? And is not the notoriety of that fact sufficient of itself to account for the falling away of the land fund? If the price had remained fixed at 5s. there could have been no wider extent of sale than at 20s., except among madmen; for either price, it is shown, would be ruinous to the purchaser. Sir Thomas Mitchell relates what took place at Port Phillip: "A universal system of land gambling prevailed when monied emigrants were arriving in a most favourable mood for becoming colonists in Australia Felix. Much of their money passed into the treasury chest. Now the buyers possess land only, without the means of turning it to any profit, or are in more cases, I fear, bereft of both stock, land and money; and the ill success of these gentlemen being known at home, the effect of their failure and disappointment has naturally been to check the introduction of both capital and labour" (12). Their failure and disappointment it is very plain did not arise from the price having been raised, but from their having laid out all their capital upon land, which being unproductive, would have been dear at any price. Had the minimum price continued to be 5s., the sale would nevertheless have ceased as soon as the purchasers had become aware of this, and the result of their experience had become known to the public at large in England. Mr. Bloxsome, indeed, speaks the language of common sense, when he says, that "preventing a man from purchasing land is an advantage to him, because if he was induced to purchase he would expend his capital unprofitably, and it would be better for him to keep his money in his pocket;" and therefore his conclusion is perfectly just, that the rise in the minimum price has operated and will operate most advantageously for the community in general, more especially for the newly arrived emigrant, who, if the price of 5s. had continued, might have been induced to invest his little capital in land, which could only lead to disappointment, as it would not yield any return proportionate to the outlay.

When the whole stream of evidence upon which the report professes to be founded, tends only to this, that purchases must have ceased, let the price have been what it might, it may be shown, by a very slight calculation, that even with sheep, at the present low price, at the reduced rate of wages, and of expenses generally, and with a so much improved return in the English market from the wool, it is nevertheless impossible to carry on sheep farming at a profit of the entire extent of land required is to be purchased at 5s. per acre, or even at a much lower price. It is therefore perfectly unjustifiable to assume a connexion as of cause and effect between the rise of the minimum price to £1, and the cessation of purchase.

This, therefore, leads to the consideration of the directly opposite system, familiarly called squatting, or of keeping stock upon land in which the occupier has no property. The effect of that system prior to the introduction of the regulations now in force is described most accurately in the evidence of the Colonial Secretary: "The greatest possible inconvenience," he says, "was experienced at the time from the encroachment of one individual upon another, and from the quarrels that thereby arose. I have always considered that it was absolutely necessary that the settlement of the interior should be accompanied by institutions of some kind or other. I foresaw, long ago, that very great inconvenience would arise in the absence of some constituted authority to enforce the law. I have always myself been favourable to an easy occupation of Crown land beyond the boundaries, as one of the greatest sources of colonial wealth; but I apprehended that the same lawless conduct would take place as in the back woods of America, if proper means were not taken to repress it" (4). Every one acquainted with the circumstances of the case will admit that these apprehensions were perfectly well founded, and that the state of things which did arrive could not have been more accurately described.

There is also equal truth in the observation of the Colonial Secretary, that by the Act of Council, 2 Vict. the great inconveniences which occurred beyond the boundaries, if not wholly removed, have been greatly mitigated. The inconveniences which remained were in fact results of the system itself, and such as no regulations could remove in the absence of any legal power, of giving the occupier of the soil a property in any part of it. I think it right to refer to the observations with which your Excellency prefaced in March last the introduction of the proposed new regulations. It was stated, that by the present system of limiting the residents beyond the boundaries to mere occupation, the Government was in fact using its vast influence to encourage the growth of a barbarous state of society.

The Government was, therefore, accessory to the evils which were springing up in consequence of no one having a sufficient interest in what he held to induce him to surround himself with the comforts of civilized and domestic life, or to introduce the institutions and ordinances on which the moral and religious improvement of communities depend. Your Excellency added, that you were perfectly aware of the storm of opposition which would be raised by any interference with the real or supposed interests of the tenants of Crown land beyond the boundaries; and that as the existing Act would not expire until a period which might probably be beyond the term of your administration, it might be in your power, without censure, to transfer this difficult and hazardous measure to your successor in the Government; but that so sensible were you of the extent of the evils above referred to, and of those arising from the irregularity of suffering persons to occupy several district stations under one license, that you felt it your duty not to leave the Government any longer chargeable with the promotion of such irregularities. If the committee of the Legislative Council had been unaware of the existence of such an objectionable state of society beyond the boundaries, or of the causes which gave rise to it, the severity of their censures on the new regulations might have occasioned less surprise; but one of their standing questions proposed to almost every witness was, "What is your opinion as to the influence of the present depasturing system upon the general improvement of the colony, and the social and moral condition of its inhabitants?"—(Circular letter, par. 5); and the replies to this question, whether oral or written, concur unanimously in attributing to the present depasturing system a most injurious effect upon the moral and social condition of that part of the community which is resident beyond the boundaries, owing to their not having, as has been already said, sufficient inducements to surround themselves with domestic comforts, and with the means of social and religious improvement. It is a most extraordinary proceeding, then, that having made such special inquiry as to the effect of the present regulations, and having found it by universal acknowledgment so unfavourable, the committee should recommend the recall