

some of their own wants and the average condition of their education, whilst the clergy, on their part, will attach themselves to that confession and school which is most in accordance with their nature and convictions." The churches and church property to be at the disposal of the districts in which they are situated. Thus "individuality, the distinctive characteristic of modern times" which "entered the field of history along with the Christian religion," and universal toleration, will be secured. Yet there is to be some limit to this toleration; and the Professor expressly protests against the permission of the consequences which have arisen in a country where the very system which he recommends is acted upon. "In order," he says, "that this individuality should not degenerate into extremes—to prevent the voluntary principle of America from taking root among us, as well as of that of Romish unity from maintaining the ground already taken—the church must bear a part in this work of church re-union."

It is indisputable that perfect religious freedom, as recognised by the constitutions of the North American States, is a sacred right which cannot be too highly estimated; but it by no means follows from this, that in a free state men can be allowed to exercise their opinions, and follow them out to their extreme consequences, to the injury of the common weal.

Such are the inconsistencies—to use the most respectful term—that attend upon the treatment of religious questions without the spirit of religion. A perusal of the pamphlet—even of our extracts—will satisfy the English reader that he and its author have not even so many ideas in common as to be able to speak in language mutually intelligible. It is impossible to avoid the painful conclusion that the subtleties of metaphysical argument have destroyed in the national mind of Germany all capacity of faith; the disease having penetrated even to men who, like M. Gervinus, reject the speculative conclusions of the philosophic schools. *And is a people without religious belief capable of political independence?* Can men accustomed to such wild wanderings in that study which leads to precision, care, and respectful deference to superior learning and authority, the humblest classes of our countrymen, be safely trusted in political speculation? A Gervinus has substituted for the religious training of an Englishman, an education that may equally fit him, as far as the business of this world is concerned, for self-government and political freedom; but what substitute has fitted the masses of his countrymen for that independence of action which a religious people have never abused?

At this moment, when it is certain that some political action can no longer be refused to Germany, these questions are of fearful interest. We confess that we look with alarm for their solution; we see that the writer whose speculations we have been considering recognises the unfitnes of his countrymen for action. But far from inducing us to wish their chains faster bound, the sense of the dangerous incompetence for movement to which long restraint has reduced them, makes us desire their immediate restoration to some degree of independent action. Let their liberation be gradual, but let the captivity that has rendered it dangerous be at once alleviated. Among the precautions taken against the phrenzy of recovered liberty, direction of its efforts towards religious discussion should be most cared for, in the faith of the promise made to man—that his earnest search for Truth shall not fail of finding reward.—Atlas.

Punch.

PUNCH'S NURSERY RHYMES.

Robin and Richard
Were two pretty men,
They fought 'gainst each other
As in and again;
Till up jumps Robert,
And says very dry
"You're right, Brother Richard,
The Corn Law must die.
You've gone before
With your tongue and your Tracts,
And I'll follow after
With Parliament Acts."

MINISTERIAL RUMOUR.

Lord John Russell was closeted with *Punch* on Thursday last till a very late hour. The interview is said to have lasted till the candles went out. The result is not yet known, further than his Lordship left *Punch* in very high spirits. The Funds rose the following morning.

AN EASY CAPTURE

We are informed by the French papers that Abd-el-Kader is defenceless; that he has lost his army—his baggage; that he is without a horse; that he has not a friend; that he is alone in the Desert. If this is all true, the greatest wonder is, the French do not take him.

MISSING.

If any one will give information to Marshal Bugeaud as to the present residence of Abd-el-Kader, he shall be rewarded with the Grand Cross of the Legion of Honour. He was last seen at Isly about two years ago, but the French have been missing him ever since.

PATERNAL ANXIETY.

Mehemet Ali, as a true believer, and with the natural anxiety of a Mahometan father, has addressed a letter to *Punch*, begging to know of him "whether his absent child, Ibrahim Pacha, drinking toasts at the banquets of the unbelievers, drinks them in wine or coffee?" *Punch*, in return "assures Mehemet that Ibrahim, at all the dinner parties, never forgets the interest of the *Porte*."

JUDICIOUS APPOINTMENT.

"It is rumoured that the Duke of Norfolk has accepted the Mastership of the Horse."—*Times*. [His Grace is chosen for the horses,—it being thought that he, of all men, can best curry them.]

**PROPHECY FOR THE WHIG ADMINISTRATION OF 1848,
IF IT LASTS SO LONG.**

	£ s. d.
1847.—Surplus.....	1 3 6
1848.—Deficiency.....	2,834,000 18 10½

The Commissioners appointed for the Reduction of the National Debt have met and carried to the balance of the United Kingdom the sum of £2,833,999 15s. 4½d., being the deficiency upon the two years' revenue of the Whig Administration.

Whitehall, August 2, 1849.

WIND YOUR EYE

Somebody has been comparing Sir Robert Peel to Polyphemus—his most prominent feature being his enormous "E."

THE PROTECTIONISTS' DINNER.

We are happy to give the bill of fare of the dinner that took place at Greenwich, at the Trafalgar.

Soups. Soupe maigre à la British Labourer. Bouillon de Stanley à la New South Wales.

FISH. Flounders à la Protectioniste—Flat Fish au naturel—Plaice sautés en Pair—Gougeons d'Agriculturist grillés aux fines herbes.

ENTREES. Saddle of Mutton à la George Bentinck and Tête de Veau en tortue à la Disraeli—Canards à en surprise à la Corn Bill—Poitrine de mouton piquée et glacée à la Peel, with sauce piquante à la Brougham—Parée de Cornichons à la House of Commons—Pheasants stuffed with bread sauce aux Fermiers—Dindon carried à la Norfolk—Pointes d'Epigrammes d'Agneau fatiguées à la Standard—Boar's Head, disguised à la Campbell—Saucissons d'Oxford à la Inglis.

PUDINGS. Plummary Pudding à la Roebuck—Brioche à la Buckingham—Sponge cake à la Borthwick—Cabinet Pudding Soufflé—A Trifle from the Carlton—Petits Pâtés de Madame Gamp—Norfolk Dumplings.

HOW ABOUT THE OPPOSITION?

It must be gratifying to Lord George Bentinck to know that we have now some prospect of a Stable Ministry. Lord John Russell appears to have bound up, pretty securely, his bundle of sticks—the Cabinet, we hope, will excuse the metaphor. There may still, however, exist considerable doubt as to how the business of the country is to be carried on. Her Majesty, it is true, is provided with Ministers; but where is Her Majesty's Opposition? Echo, at a nonplus, repeats the interrogation.

The antagonism between the late and present Premier has been converted into resemblance: they now correspond to the Pompey and Cæsar, not of Roman History, but of Nigger anecdote. "Pompey and Cæsar very much alike, especially Pompey." It is really to be feared that there will be an end to party strife; and, of course, to the excitement and fun of politics. The difficulty, perhaps, will be less felt in the House of Lords, where Lord Brougham will be an Opposition in himself; but who will impede legislation in the House of Commons? The fact is, that *Punch* must become a Member of Parliament.

PRIZES AT THE AGRICULTURAL SHOW.

Prizes were given to Sir Robert Peel, for a new corn-crushing machine, in the shape of a bill; to Mr. Thomas Duncombe, for a new style of chaffing; to Mr. Daniel O'Connell, for the best set of tools for draining a poor soil; to Prince Albert, for an improved tile for drills; to Lord Brougham and Lord Lyndhurst, for a short process for cutting wool; to Mr. Hume, for a machine for paring in all seasons; and to Sir Culling Eardley Smith, for the best machine for bolting.

Memoranda of Men and Things.

SIR NICHOLAS TINDAL, LATE CHIEF JUSTICE OF THE COMMON PLEAS.

Nicholas Conyngham Tindal was born at Chelmsford, Essex, in 1776. He was, according to one account, the son of an attorney; another version of his story represents him as the descendant of an old Essex family. In the year 1795 he was entered at Trinity College, Cambridge. He took his degree of B.A. in 1799, and that of M.A. in 1802. In 1801 he obtained a fellowship, which he retained till his marriage in 1819. He was eighth on the list of wranglers, and senior medalist. After taking his degree, Tindal came to London, and commenced keeping his terms. He was called to the bar by the Society of Lincoln's-inn, in 1809, and joined the northern circuit. He obtained at an early period of his career a reputation among the profession as a special pleader, and rose, soon after he was called to the bar, to a respectable business as a chamber counsel. His want of rhetorical talent kept him from acquiring an extensive practice in the courts, and he thus continued for a considerable time comparatively unknown to the general public. The first opportunity he had of displaying to advantage his professional skill and acquirements was on the trial of Queen Caroline, when he was employed on the side of that then popular personage. He was brought into Parliament for the Wigton (Scotland) burghs in March, 1824; appointed Solicitor-General in 1826; and adhering to the fortunes of Mr. Canning in 1827, he was, although his claims to the Attorney-Generalship were waived in favor of Sir James Scarlett, chosen representative for the University of Cambridge, to fill the vacancy left by Lord Lyndhurst's promotion to the peerage. Sir Nicholas C. Tindal made no great figure in the House of Commons. His Arrest and Mesne Process Act, his support of the Consolidated Bankruptcy Act, introduced with the sanction of Lord Eldon, and a bill for improving the law relating to debts under £15, are almost the only records of his Parliamentary career. In 1829, when Sir Charles Wetherell threw up the appointment of Attorney-General, it was felt that Sir N. Tindal could not, consistently with self-respect, allow his claims to the office to be passed over a second time. But it was also felt that in the then temper of the universities it was certain he would not be re-elected for Cambridge. A negotiation was therefore opened with Sir W. D. Best. The Chief Justice of the Common Pleas retired with a peerage, a pension of £3,750, and the appointment of Deputy Speaker to the House of Lords. This last arrangement in Lord Wynford's favor excited a strong sensation at the time, and was cancelled by the Grey Ministry in 1830. Sir N. C. Tindal was appointed Chief Justice of the Common Pleas on the retirement of Lord Wynford, in June, 1829. We have heard (the circumstance is only worth mentioning as a curious incident) that a bill of exceptions was tendered to Sir N. Tindal, the first day he sat as Chief Justice. It is said to have been received with the utmost suavity. His subsequent career will best be read in his admirable judgments, which begin in 6th Bingham, and run through all the other reports. He presided at the trials of the Bristol rioters, of Frost and his associates, and preserved in these and other political trials, a dignified impartiality not always maintained by English judges on such occasions. His high talents and constant urbanity were appreciated by the bar. The late Chief Justice had an attack of illness about ten days ago, during the hearing of an Irish appeal. On reaching his home he was seized with paralysis in the left leg. He was advised to try sea bathing, and for that purpose removed to Folkestone, where he expired about half-past seven on the evening of Monday last. His wife, (a daughter of the late Captain Thomas Symonds, R.N.), whom he married in 1819, died about twenty-two years ago, leaving him seven children. Three of them, Captain Tindal, Mr. Tindal, Barrister, and Mrs. Bosanquet, were in attendance when he expired. His remains have been removed to the family residence in Bedford-square.—Atlas.

FREE-TRADE AND FREE-KNOWLEDGE.

On Wednesday evening (July 15), in the House of Commons, Mr. Hume, always on the alert when any measure of practical utility can be suggested to the Legislature, and whose attention has been fixed, for some time past, on the condition of India and the colonies, called upon the Government to take into consideration, with a view to their entire removal, the duties now levied upon all books printed in those colonial possessions and imported into this country. One of the Secretaries to the Treasury replied that the subject would receive the attention of Government. We earnestly hope that it will. The duty now levied upon printed books, imported from India and the colonies, amounts, we believe, to about £2 10s. the hundred weight. At a time when such great efforts are being made to remove all restrictions upon the free importation of food for the body, not only from the colonies but from foreign countries, it would be a reproach to the Legislature, if severe restrictions upon the importation, from our colonies and dependencies, of wholesome intellectual food, were to be suffered much longer to exist. Mr. Hume remarked, on Wednesday evening, that in Indian and other colonial publications is to be found a vast amount of information relating to India and the colonies—original information, which cannot be obtained from other sources; and the truth of the assertion is not to be denied. But what encouragement is there to authors and publishers to send printed information to England, when, in addition to the expenses of freight from one country to the other, they are compelled to incur the charge of an almost prohibitory duty? And that, too, when, for the most part, they are compelled to sell at lower rates than on the very spot where their books have been printed. The most inveterate Protectionist would look in vain for a pretext for the continuance of a duty which benefits none and injures many. An indolent Government might reply that the number of colonial books imported every year is so small that the matter is not worth its attention. This may be a very good reason for remitting the duty; it can be none for its retention. If the number of books imported from the colonies be so small, the duty must be valueless as a source of revenue, and the home market cannot be affected by anything so insignificant. Moreover, such a reply would, in effect, amount to this:—The imports are so small that we will take good care they never become greater. If the article imported were a poisonous drug, there might be some reason for such a prohibition; but as the article is useful information—and that very description of information which is most wanted—there cannot be any ground for the perpetuation of a duty which is only vexatious and injurious. Nothing can be more anomalous than the present system. The Indian newspapers are not stamped; they are, simply, sheets of printed information. And yet the British Government permit them to be received into England duty-free and carriage-free. If brought by the English steamers, the recipient pays nothing for a month's file of newspapers. But a quarterly review or a monthly magazine, or an octavo volume printed in India, must pay not only freight but duty—and yet, in that month's file of papers, every article in the review or magazine may be reprinted. The restriction, therefore, is not imposed upon colonial literature, but upon colonial literature when it assumes a certain form. It is just one of those vexatious and unmeaning restrictions which have been suffered to disfigure our commercial code, only because no one has been at the trouble of removing it. We have little doubt that, through the agency of Mr. Hume, it will now be speedily swept away. We have heard, too, that an intelligent and influential member of the Court of Directors of the East India Company has addressed himself to the consideration of this subject; and there is, therefore, little room to doubt that, from such movements in Parliament and at the India House, a remission of the duties now complained of must eventually result. A reduction of the impost on foreign books will, we hope, speedily follow. This subject was brought, early in the session, before Parliament, but the consideration of it—because, in some small measure, it might have retarded the settlement of the Tariff question—was set aside, only, we hope, to be propounded again on the first favorable opportunity. Such obstructions to the free circulation of knowledge ought not to be suffered to exist.—Atlas.

THE BISHOP'S LETTERS.

The following are the letters referred to in our last week's publication, which, for want of space, we were obliged to omit:—

Sydney, 17th February, 1846.

My dear ———
You have read, I dare say, in common with the English public in general, an article in the *Times* of the 3rd November, commenting upon the regulations proposed by Sir George Gipps in April 1844, for the management of the districts beyond the boundaries (commonly called the squatting districts) in this colony. The question is evidently taken up in a party spirit; and the *animus* of the entire article is such as makes me suspect that if it were not actually manufactured here, the materials of it must at least have been exported from this country. No person of common discernment will believe that these are the natural expressions of one who had merely read the *New South Wales Gazette*, in which the despatches, &c., relating to this question were published. These are the words of one who had a preconceived opinion, or upon whom influence had been employed to give him a desired bias. 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. The *Times* may be more likely to mislead the public, because it cannot possibly have information sufficiently copious and impartial to enable it to form a considerate determination upon a question of such a peculiar nature, and the just decision of which depends so much on local circumstances. Whether I have been a good shepherd or a bad one, it must also be beyond the capacity of the *Times* newspaper to determine. But the evident intention is to cast blame upon me for having been at all concerned in such discussions; and still more perhaps for having taken a view which is not approved by parties for whom the *Times* is the advocate. In opposition to this I may begin by stating to you, that from my first arrival here in 1829, until the day of the regulations now under examination, there had been no one subject, excepting such as directly and properly appertain to my office, to which I have bestowed so much care and attention, as upon the mode of disposing of the vacant Crown Lands, with a view of introducing a useful population into the country. I perfectly admit, as a general maxim, the propriety of a bishop abstaining from any discussion on questions merely political, or connected only with the interests of men. But if the meaning be, that a bishop is to take no 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, I must express my dissent from such a senti-

ment. The bishop, I think, is solemnly bound, and perhaps he is bound even beyond other men, to concern himself in questions which, although they may be termed political, have the closest connexion with the moral and religious character of the generation which now is, and of those which are to come. A bishop placed as I am here, would be chargeable with forgetfulness of his duty both to God and man, if he should hesitate to employ his utmost ability, and the whole weight of influence derived from his connexion with the executive Government, in giving an advantageous direction to the measures of that Government for the disposal of lands vested in the Crown for the benefit of the nation at large. It is enough if he, while acting thus, can show that he occupies some portion of his time and thoughts upon such subjects, without any view, immediate or remote, to the temporal advantage of himself, or of any connected with him. In my case (I speak boldly) there never has been, nor could there be, room for a shadow of suspicion of that kind.

And now I will explain to you the motives which led me to concern myself so much with these regulations, which certainly have encountered great opposition; but in telling you this I ought to put you in possession of the fact, that in this country they have been opposed by few, if any, who had not a personal interest in frustrating them. It is now several years since the intercourse which, in the discharge of my duties, I am compelled personally to keep up with all parts of the colony, pointed out to my observation many growing dangers arising from the system upon which the Crown lands beyond the boundaries were occupied. Those lands were held from year to year under licenses, for each of which a fee of £10 was paid annually to Government. The quantities of land in the occupation of different individuals, each making the same yearly payment for a license, were more disproportionate than can easily be conceived. In many cases more than one station (indeed, I may say more than three, four, or even five stations) were held under one license. The extent of a run was often enormous, almost beyond calculation, according to English modes of reckoning. Nothing, indeed, could surpass the irregularities of the entire system. It was also evident 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 persevered in, the present occupiers would, through sufferance and usage, acquire a title, against which no other claim could effectually be pleaded. Considering, then, the vast irregularities which existed in the rate of occupation, and remembering that these lands were the *rightful patrimony of all the people of the United Kingdom*, I could not think it reconcilable with the rules either of justice or of sound policy, that they should be suffered thus to slip away from the proper owners, and be made the private property of the few hundreds of persons who were in the present occupation of them. But that which principally affected my mind was the condition of society which was likely, or rather was certain, to grow up under the circumstances then existing. There prevailed a growing feeling of ownership arising from mere occupancy, which impelled every licensed holder to cling to the spot as to a property which was one day to become his own; yet, until a lapse of years should have given the impression of certainty to this view, there was just that degree of doubt as to the permanency of the tenure, which reasonably enough took away the inclination to incur the expense for the sake of improvement or comfort. The impression produced on my mind was, that the Crown, whilst it thus negligently sacrificed the right of the people in England to so many millions of acres, could not be acquitted of actually *encouraging* the growth of a debased, barbarous, and irreligious mode of life among those from whom it thus withheld the ordinary inducement which the possession of even the smallest of freeholds holds out to a man to surround himself with social comforts. Hundreds of times I have 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. After some years of observation and reflection, the conclusion which I came to was, 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. If at the expiration of that term he should make his election to purchase such another portion, possession of the whole run, or station (as such tracts of country have been called) should again be secured for a period of years, and so on, until time and change of circumstances might render the introduction of a different system desirable. In the event of any other than the actual occupier purchasing the stipulated portion of land (which, according to Act of Parliament, must be disposed of at auction), then such highest bidder would be entitled to enter into occupation of the station; but only on condition of paying to the previous or out-going occupier the appraised value of his land, or of any improvements upon it, or on any other parts of the station. It was naturally to be expected that the parties who were occupying at a very low rent immense and highly valuable tracts, which, by mere lapse of time, were in a state of rapid transition into private properties of their own, might be dissatisfied with the proposal. Nevertheless, for their own sakes, for the sake of the families of such as were resident, and for the sake of the dependents of the many non-residents, who carried on their establishments by means of stewards and overseers, it was beyond all question that things should not be left as they were. The voice of religion and morals loudly required that thus it should not be; and having given full weight to all these considerations, I proposed in my place in the late Legislative Council, during the session of 1842, a plan according to the outlines here traced. I thought, and still think, that it was the best which circumstances admitted for doing justice to all; to the actual occupiers of Crown lands, to the people of the United Kingdom, whose patrimony they were, and to the claims of Christian religion, interceding as it were to be delivered from that threatened abolition to which the system in operation was almost certain within less than half a century to consign it. To this evil I had drawn attention in my charge to the clergy in 1834 (pp. 12, 13), and had implored the settlers belonging to the Church of England, to pay attention at least to the observance of family devotion, where they were excluded from opportunity to partake in the public devotions of the church. But this exhortation was too generally disregarded; and the consequence was, that the prevalence of irreligion, which was sufficiently fearful in 1834, when confined within the limits of location, had become too frightful for contemplation when the stations had extended over the almost incalculable space which they now occupy. I am sure, indeed it cannot be contradicted, that beyond the boundaries the outward observance of any religion might be considered as pretty generally extinct.

Perhaps, then, I may have said quite enough to convince you

that some interposition was called for, were it only to rescue the Government from the imputation of permitting and encouraging such a state of things to exist in a territory from which it was deriving a large annual revenue. But you may require a few words more to show you that the measure proposed by Sir George Gipps, (and which, being in accordance with my own views, I felt bound to support), was not fairly open to those *violent objections with which it has been received*.

In the first place a qualified system of purchase, conferring a title to the temporary use and occupation of the remainder of the station, had this advantage; it set a note of *distinction** upon the two parts of which the holding would consist—the one *purchased* and by grant from the Crown rendered private property, the other *not purchased*, but continuing the property of the Crown, for the use and benefit of the whole people of England. Without such a note of distinction no doubt any occupier of ancient standing, and in the course of time all such occupiers might set up a claim of ownership, casting off all acknowledgment of the superior right of the Crown. But it would be impossible for such a constructive title to grow up, while the assertion of it could be at every moment checked by adjacent and tangible proof that the right of ownership was limited to a definite spot acquired by the condition of purchase. A similar right would be thereby negatived to all that portion for which no right of purchase could be pleaded.

It is assumed, I observe, in the *Times*, that the Government ought to have interferred with some words of warning to prevent the idea of property from being recognized in those rights of run, which had come to bear a determinate value between sellers and buyers. So far as relates to myself you will observe that this objection is of no force, inasmuch as in 1842 I proposed a plan for vindicating the claims of the Crown, that is, of the English nation, to all those lands. But even as regards the Government, there was no want of due warning that those lands were let upon sufferance alone, and that whatever was done upon them was done at the risk of the doers. The interference of the Crown Commissioner with the extent and boundaries of the several holdings (which was complained of as a grievance) was in itself a sufficient warning that the Crown had not surrendered the right of ownership. It had, indeed, been exercised at no distant date by the Governor directing the expulsion of a squatter from the station which he held under a licence. In fact the marketable value of the right of occupation had arisen not from any want of notice that the right of ownership was in the Crown, but from a latent hope that it never would be seriously enforced, or that if the attempt was made, it might be defeated by a combination of the actual occupiers, or from that disposition to speculate on contingencies which in the matter of land purchases very nearly approaches in many cases to the mania of staking money upon a cast of the dice.

It may be thought that a system of leases open to competition, or to purchase by the highest bidder, would afford a simpler and readier method of accomplishing the desired object. But this I very much doubt. In the first place, a mere leaseholder being able to calculate the exact period at which he must give up the whole of the lands in his possession, unless his interest therein should be renewed by a fresh lease, the attainment of which, being subject to the competition of others, he must know would be uncertain, would be even less likely to go to expense in establishing himself in comfort than the holders under license were. They had before them a period which was at least indefinite in duration; or had no such fore-appointed termination as a lease must needs involve. In the next place, a system of leases, open to competition, would be in no degree whatever more likely to satisfy the present occupiers than the regulations of Sir George Gipps have had that effect. The open and undissembled objection is to any termination of the tenure; and to any admission of competitors; the purpose being that they who have now possession of the land should be secured therein in perpetuity. 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. No one denies that such occupiers are entitled to every degree of consideration and indulgence which can be granted to them without sacrificing the general good to their individual advantage, or the advantage of a class; and I am able to testify that from first to last the anxious attention of this Government, and of every member of it, has been directed to find means of giving the squatters every advantage not inconsistent with the general good. It is a great question, involving great interests; and justice cannot be done unless it be treated upon very comprehensive principles. It really amounts to this: can the expectations of the body of squatters be gratified, and their pretensions yielded to, without injustice to the nation at large? This is the true point in controversy. I must say, I stand up for the rights and privileges of the whole people of England; and object most strenuously to the transfer of what is their lawful inheritance into the perpetual custody of a close corporation of 1,000 or 1,500 persons who have been allowed a temporary occupation of the property, and are now proposing terms which would establish it theirs for ever; a system of leases would end in that. How is the Government, year after year, to enforce compliance with the terms of the lease, that is, payment of the rent? It would be impossible to arm the Government with the power of summarily ejecting parties holding under a lease; and if the expulsion of defaulters is to be accomplished only by regular process of law, the Government, and all experience has shown, cannot successfully persist in maintaining so many actions, but is liable, is even certain to be defeated by an understanding among its tenants. The old system of granting lands upon condition of a fixed quit-rent, was abandoned from a sense of the abuses to which it was liable; and the Government (though armed with full power to distrain, and even, I believe, to resume the land in default of payment) has not been able to proceed with a collection of quit-rents. It stands to reason that it would have to encounter the same difficulty in recovering the rents under a system of leases,—nay, might even be more certainly defeated. This was one great advantage of the proposal to make the tenure of a station for a certain term depend upon the *purchase* of some portion of it; because then the rent (for such, in fact, it might be considered) would be paid in advance. But if, instead of this an annual payment have to be demanded, and it be found (as uniform experience has shown) that it cannot be recovered when there exists a general purpose not to pay, there will be little or no inducement for the Government to look after the resumption of the land, attended as it must be with much trouble and no profit. Thus the tenants on leases will ere long be converted into tenants in fee-simple; or the whole of these enormous reserves will become their private property. But can any government have a right thus to sacrifice and make away with the patrimony of the people? It was at the cost of the English nation that this territory was discovered, and this colony established; it is only through the guardianship of England, and the influence of its name and power, that we are able to breathe in security from foreign hostility here, or to pursue our way across the waters to any other country. Here

* It was principally for the purpose of making the distinction here pointed out that I proposed the sale of homesteads.—G. G. Feb. 23, 1846.

is a vast field upon which the labor and capital of England ought to be exercised and employed, and it should be fairly left open to them. But who will be willing to transfer either his labor or his capital to a country, every acre of which that is worth holding, is known to be locked up from the new comer, under a lease to some prior occupant; and how much less can a transfer be looked for, if the whole property in the soil of the country be surrendered into the hands of what I cannot help looking upon as a close corporation, consisting of a few hundred individuals? It would be a wrong done to the people of England collectively, and a fatal injury inflicted upon all the people of this colony. Such a system would put an entire stop to immigration, and would thereby prove ruinous at no distant date, even to those who had acquired that monopoly of the land; for without a very extended and continued introduction of fresh labor, what will the lands of the colony be worth? I will tell you; they will be worth nothing to any man. In fact, such a system as should make away with the Crown property, would not be tardy in reducing the Crown itself to a mere nominal sovereignty over its dominions here. Considering the numbers, station and influence of those who compose the squatting interest, and that they have already a predominant influence in the Legislative Council, do you not clearly perceive that the effect of such measures as we have been considering must be to throw the whole power of the country into the hands of those few persons in whom the bulk of real property will be vested. And what will this be but to create a democratic oligarchy, which will not long be denied the control and disposal of what are now the revenues of the Crown, in trust for the whole people of the United Kingdom? What can the Crown oppose to such a power? And what can the people do, when they require land, and find that the whole is monopolized by a few, so that the many cannot obtain a single acre without coming to them, and agreeing to take it upon their own terms? It may be very possible to set in motion the vast machinery of the *Times* to mislead the public upon this question; but if I had access to the hearing of the people, I should recommend them to look carefully after the interest which they one and all have in this great territory. Indeed, I must say, that our Governor and Executive Counsellors would have deserved impeachment under an act of attainder, if they could have consented so to tamper with those rights, which are the rights of the Crown only, because the Crown is in trust for the good of the people.

I hope you still continue to be staunch Tory enough to approve this principle; for my part, I still keep to the old persuasion, in the midst of all the changes which have taken place; and when we used to talk the matter over so many years ago, I did not expect I should come to this remote quarter of the world to find a confirmation of our favorite notion, that the rights and liberties of the people are best maintained by giving due support to the prerogative of the Crown.

Believe me, &c.

(Signed) W. G. AUSTRALIA.

(No. 2.)

Darlinghurst, February 21, 1846.

MY DEAR SIR GEORGE—I assure you, that if you do my paper the honor to think it will be 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.

Believe me, &c.

(Signed) W. G. AUSTRALIA.

His Excellency Sir George Gipps,
&c. &c. &c.

CITY COUNCIL.

THURSDAY, DECEMBER 3.

Present—The Mayor, Aldermen Macdermott, Flood, Allen, Wilshire, and Thurlow; Councilors Hill, Ryan, Titterton, Hyndes, Henderson, Fisher, Josephson, Moir, Sillitoe, Jenkins, Robey, Agars, and Cowlishaw.

The Town Clerk read the minutes of the previous meeting.

ALTERATIONS OF PARRAMATTA-STREET.

The Town Clerk read a letter from the City Surveyor, accompanying sections of proposed alterations in the kerbing and leveling the street, and asking permission to alter it, on the ground that it would much improve the street.

Aldermen Macdermott thought that notice should be given before the levels in any street should be altered, as the Council were bound to consult the interests and convenience of the citizens.

Alderman Allen thought the sooner Parramatta-street was repaired the better; but did not consider the present measure would be much improvement.

Mr. Hill thought the work would be altogether too expensive to be attempted at present.

The City Surveyor was called in, and having explained the improvements going on in Parramatta-street.

Alderman Flood moved, that the City Surveyor's letter, with respect to the kerbing and guttering of Parramatta-street, be referred to the Improvement Committee.

Mr. Hill seconded the motion, and agreeing that a good entrance to the city was necessary, it was also necessary to keep the rest of the city in good repair.

Alderman Macdermott moved as an amendment, that notice be given by the Town Clerk of the proposed alterations in the levels of the south side of Parramatta-street, in order that any person opposed to such proposed alterations might enter a caveat against them, and if no such caveat be entered within fourteen days, the permission sought by the City Surveyor be granted.

Mr. Jenkins thought seven days would be sufficient.

Mr. Robey supported the original resolution, on the principle that though private property might slightly suffer, private convenience should succumb to the public good.

Mr. Moir thought by adhering to the original resolution they would more speedily effect the object in view.

Mr. Cowlishaw was also in favour of the original resolution, nor did he think the houses in the locality would have their value materially affected by the proposed alterations. He should move to that effect as a further amendment.

Mr. Fisher supported the original motion, as the Improvement Committee would then have power to make such alterations in the pavement as they thought fit, and thus prevent injury and injustice to private parties.

Alderman Flood thought the resolution of Alderman Macdermott was utterly inconsistent with his opinions when the subject of the pulling down the fence on Mrs. Baker's property was discussed. Alderman Thurlow supported the amendment of Mr. Cowlishaw,