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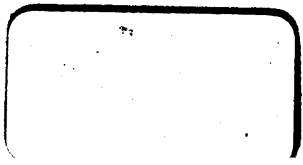

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TRAVELS

IN

NEW SOUTH WALES,

BY

ALEXANDER MARJORIBANKS,

OF MARJORIBANKS.

"Get thee out of thy country, and from thy kindred, and from thy father's house, into a land that I will shew thee."—GENESIS.

LONDON:

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TO

THE RIGHT HONOURABLE EARL GREY,

HER MAJESTY'S SECRETARY OF STATE FOR THE COLONIES.

My Lord,

I avail myself of the kind permission you have granted me to dedicate this work to your Lordship.

The official situation which you have been called upon to fill, I have always considered the most important of any with which a Minister of the Crown can be entrusted; inasmuch as our colonial possessions, from their boundless extent, impart to Great Britain the proud pre-eminence of being called "Queen among the Nations."

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The vast amount of knowledge, and of labour combined with the highest sense of honour, of patriotism, and liberality of sentiment, which your Lordship has brought to bear upon this vast empire, has caused your accession to office to be hailed with the most cordial satisfaction by all classes of the community.

I have the honour to be,

With the highest consideration,

Your Lordship's faithful

and very obedient Servant,

ALEX. MARJORIBANKS.

BALBARDIE HOUSE,
BATHGATE.

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NEW SOUTH WALES.

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Erratum.

At page 182, for "my esteemed friend Mr Gillon," read "the late Mr Gillon."

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NEW SOUTH WALES.

CHAPTER I.

Its early History—Despatch of First Fleet—Arrival at Botany Bay—Description of Botany Bay—Serpents—Description of Sydney—Wonderful extent of the Auctioneering System—Prodigious Consumption of Liquors.

On leaving New Zealand in 1840, I proceeded to New South Wales, from which it is distant about 1300 miles.

The history of this latter country during its infant years is unlike that of any other nation on the face of the globe. The early history of most other countries consists chiefly of wars, intrigues, rebellions, lengthened details of victories, with an occasional apology for a defeat. Whole volumes, for instance, have been written on the wars in which England has been engaged during the last thousand years, showing the movements of the contending armies; how the right wing of one army was opposed to the left wing of another; how one general lost the battle

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by extending his wings too far, like those of an eagle; while the wings of another, like those of a bat, had not been stretched out far enough. And yet I have seen sensible people sitting down for hours and reading these details with as much gravity as if they really understood them; when, in fact, even the generals themselves, who were present and directed all their movements, did not understand them themselves, but knew well, from practical experience, that the race was not always to the swift, nor the battle to the strong, time and chance happening unto all. And even, though they had understood them, it would not have put a single idea into their heads; so that they might have been employed just as profitably in reading an account of the movements of the men at a game of chess or backgammon. Few historians, in short, record anything that is really useful to mankind. The single historian who mentions, that in the reign of Edward the Third a fat sheep was sold for 1s. 3d., a fat goose for 3d., and that a labourer got 3d. *per* day, recorded circumstances more useful to mankind than those other historians who have filled whole volumes with the details of the glorious victories of that monarch, not forgetting his wonderful victory at Cressy, in France. The use of history is, chiefly, to mark the progress of civilization; of the arts and sciences; the laws enacted for the benefit of mankind; useful discoveries; the

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mode and expense of living; the price of labour, and the manners and customs of different ages. These combined enable us to judge in some measure of the progress of society. When a labourer learns that for five days' labour he could have bought a fat sheep in the reign of King Edward, and considers that he must give ten or twelve days' labour for the same animal at the present day, he is enabled to draw the inference that the wages of labour have fallen since that time. It would be infinitely better were historians to adopt the scriptural plan, and merely to say, as in the first chapter of the Book of Chronicles: "And when Belah was dead, Jobab the son of Zerah of Bozrah reigned in his stead. And when Jobab was dead, Husham of the land of the Temanites reigned in his stead. And when Husham was dead, Hadad the son of Bedad (which smote Midian in the field of Moab) reigned in his stead." In these few lines you have the history of the reigns of no less than three kings, and one victory. There is nothing here of right wings or left wings, of strong or weak positions, but merely that Bedad smote, that is, obtained a victory over Midian, in the field of Moab; and this is all that I, at least, wish to know of that victory, and all that the sensible people at that remote period of the world probably wished to know also.

Those, however, who are fond of the romance

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of battles will be sadly disappointed with the early history of New South Wales, as they will find no glorious victories recorded, no roaring of cannon nor flourish of trumpets, but they will learn that the first sounds that fell from civilized man on these distant shores were the rattling of the chains of those led into captivity, and the crash of the trees of the forest falling under their stroke.

This country was selected by Britain as an outlet for her numerous criminals, where they would not only be punished by being driven from their native land, and subjected to the most rigid discipline, but also where they might ultimately reform, so that a British colony might, in the course of time, be formed out of those materials which their reformation, joined to the families of free emigrants, might supply. Those sent thither were thus expected to leave behind them the habits and pursuits which had been the cause of their being led captive, and after that just expiation of past offences which the law imposed, might find shelter and repose, and recover and redeem those rights which every well regulated community finds it necessary to enforce for the protection of its well conducted members. It thus became one of the noblest experiments that had ever been made on the moral capabilities of man; and the Rev. Dr Lang, the celebrated historian of that country, accordingly remarks,

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"If there is joy in heaven among the angels of God over every one sinner that repenteth, we may well conceive the deep interest which superior intelligences would naturally feel at the establishment of the penal colony on the coast of New Holland, all-insignificant and contemptible as it might appear, and the loud burst of joy with which they would have hailed the tidings of its ultimate success."

By the transportation system England thus throws off her tainted subjects, securing for them an asylum where they may reform and prosper; whilst France, by confining her criminals within her own natural limits, familiarizes her people to scenes of suffering iniquity, and, by keeping up the continued public exposure of her delinquents, renders their feelings callous, and their reformation almost impracticable. This system also tends to demoralize the national character; and hence crime in France, according to Dupin, taken in the aggregate, is greater in its enormity than in England.

New Holland or Australia, of which New South Wales forms a part, is by far the largest island in the world, measuring about 2400 geographical miles from east to west, and 2000 from north to south; and as it contains an area of 3,000,000 square miles, it is, consequently, within one-fourth of being as large as Europe. It was first discovered in 1609 by a Spanish nobleman,

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who called it Australia of the Holy Spirit, and it got the name of New Holland also, from the number of Dutch navigators who afterwards frequented it, though it now more generally gets its original name of Australia, and occasionally Australasia, which latter name is generally held to include Tasmania and all the islands in the vicinity of the Australian continent. It is at present divided into three parts, viz. Eastern Australia or New South Wales, Western Australia or the Swan River, and South Australia. Some have added as a fourth division, a tract of country called Australia Felix, from its being comparatively more fruitful than the others, and in which Port Phillip is situate; but from being at present under the government of New South Wales, it cannot properly form a separate province till disjoined.

The celebrated Captain Cook was the first who explored Australia at all accurately, during his first voyage in 1770, and his third in 1777, and it was he who gave the name of New South Wales to its Eastern coast. On his return to England after the last of these voyages, he found the government somewhat at a loss for a proper place to export criminals, the expense of keeping them at home in jails and penitentiaries being very great, while the acknowledgment of American independence prevented their being sent as formerly to that country. Captain Cook

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at first recommended New Zealand, from which he had just returned, but the prevalence of cannibalism was considered at that time an insurmountable objection. He then recommended a Bay to which he had paid a transient visit when coasting along the eastern part of Australia, and to which he had given the name of Botany Bay, from the number and variety of plants and flowers which had been discovered there by the celebrated Sir Joseph Banks, who had accompanied him.

The Government having resolved to give it a trial, despatched, on 13th May 1787, a fleet of eleven sail, which took out Captain Phillip, of the Royal Navy, as Governor; who arrived in the end of January 1788, after a voyage of eight months, including the time spent at Teneriffe, Rio de Janeiro, and the Cape of Good Hope, for provisions. In this fleet there were 600 male and 200 female convicts, with 160 marines, and their officers, to guard them, forming together upwards of 1000 individuals, including forty of the marines' wives and their children. On arriving at Botany Bay in January 1788, Captain Phillip finding that the water over nearly the whole of it, and more particularly near the shore, was extremely shallow, embarked with some of his officers in three boats, and proceeded northward, intending to reach what Captain Cook had called Broken Bay. They observed

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on their way thither a small opening about three leagues to the north, which Captain Cook had named Port Jackson, in honour of the sailor who discovered it, though he had only considered it a boat harbour, and, on entering, found, to their astonishment, one of the finest harbours of the world,—second only to Rio de Janeiro, in the Empire of Brazil, and the fleet was immediately removed to this splendid harbour.

Just as he was ready to set sail from Botany Bay, two large ships, under French colours, were seen beating into the bay. These turned out to be the two ships despatched from France on a voyage of discovery, under the command of the celebrated De la Perouse, which put in there to refit, having lost nine officers, four seamen, and one boy, besides several who were wounded, in an unfortunate skirmish with the inhabitants of the Navigators' Islands, the natives of which La Perouse describes as remarkable for their great height and strength, treachery and ferocity, though the women were delicately beautiful. This celebrated French navigator remained at Botany Bay for two months, and it is a remarkable circumstance that he was not heard of afterwards, till the year 1826, when Captain Dillon discovered that his fleet had been wrecked on the Manicolo Islands, to the north of Sydney. * A

* Dillon's "Discovery of the Fate of La Perouse," published in London in 1829, will be found a remarkably interesting work.

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French ecclesiastic, of the name of De Lamanon, who accompanied the expedition as a naturalist, died at Botany Bay of the wounds he had received at the Navigators' Islands, and is buried there; and a monument was erected to La Perouse in 1825, on a beautiful spot at the entrance of the bay, by the captains of two French frigates who visited Sydney during that year. Almost all the French who arrive at Sydney pay a visit to this monument.

Captain Phillip after sailing about seven miles up the beautiful harbour of Port Jackson, cast anchor; and all hands, soldiers and sailors, male and female convicts, set immediately to work, and on 26th January 1788, laid the foundation of a town, to which he gave the name of Sydney, in compliment to Viscount Sydney, then First Lord of the Admiralty.

Such is a brief account of the foundation of this colony. In regard to its subsequent history for five years afterwards,—how the convicts mutinied and deserted into the bush,—how they had various encounters with the natives, who wished to expel them altogether,—how a ship sent to them from England with stores was lost, —how many of them in consequence died from starvation; the Governor himself receiving no more than a convict,—how 221 persons, including 186 convicts, who had been despatched during the famine to Norfolk Island, were saved

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from perishing by famine, owing to a flight of aquatic birds alighting on the island to lay their eggs, and, from the length of their wings, with difficulty re-ascending,—how a ship with 222 female prisoners unfortunately arrived in Sydney just at that time, which tended to increase the famine, and many other important events, are they not recorded at greater length in most of the histories of that country? The anniversary of the day on which they cast anchor in Port Jackson (the 26th of January 1788) is kept as a holiday in that country, and the natives, like dutiful children, following the good old customs of their forefathers in this the land of their birth, do not fail to close the festivities of the occasion by a grand public dinner, which affords them an opportunity of displaying their astonishing eloquence, their wonderful attachment to their barren country, and their profound veneration for the memory of their illustrious ancestors, who had been sent there on account of their exemplary conduct in their native land.

The words *aborigines* and *natives* are kept up with peculiar strictness in New South Wales; the former, a Latin word, signifying the original inhabitants of the country, who, of course, are the blacks; and the latter signifying those born in the country of white parents; so that the blacks are never, by any chance, called the natives. It is necessary to keep up this distinction

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in that country, as these two words occur so frequently in the course of conversation.

In regard to that celebrated spot called Botany Bay, it would not have been necessary for me to have taken any particular notice of it, more than of any of the other numerous bays on that extensive coast, were it not for the associations with which it is connected, and the ignorance which prevails regarding it. Scarcely two individuals, indeed, in this country, have the same notions concerning it. Some think that the whole country went under that name, others that it was a large prison or penitentiary situated on that bay, having extensive ground for the prisoners to take exercise, and that all of them were confined within its walls, besides similar other absurd notions. An idea also prevails very extensively even among the higher classes, that the criminals transported from this country within the last fifty years were all actually landed there; so that it became quite a bye-word among the people when one was accused of any crime,—"Oh, he'll be transported to Botany Bay." Now my readers will be startled when I tell them, that of the thousands sentenced to be transported to Botany Bay, none arrived there except those originally sent by the first fleet under Governor Phillip, and these, you will recollect, were never landed at all; the whole having been taken to Sydney.

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I, of course, thought it necessary before leaving New South Wales, to pay a visit to a spot so well known by name throughout the world as Botany Bay, though few of the Sydney people take that trouble. I got the loan of a horse for the occasion from a friend, who politely accompanied me. The distance to the spot where La Perouse's monument is erected, on what is called the North Head, is about ten miles from Sydney by land, and fifteen by water. The road to it from Sydney is wretched in the extreme, deserving merely the name of a cart-track. Immediately on leaving Sydney you enter upon a complete desert of barren sand, with low scrub or brushwood, which continues nearly all the way; and at one spot in particular, when looking round in every direction, there is not the vestige of a human habitation to be seen, so that one might actually suppose he was travelling through the deserts of Arabia. On coming to the bay, and riding for two or three miles along its beautiful banks, covered with wood, I looked in vain for the great variety of flowers from which it obtained its name. In fact I saw more serpents than flowers, so that I should have felt inclined to have called it Serpentine Bay. Talking of serpents, I may mention that the bite of most of them in that country is almost instantaneously fatal, so that the people there, who live in the bush, generally carry a sharp knife or lancet in

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their pockets in order to be ready to cut out the bit. The Death Adder, perhaps, possesses the most intense venom of any Australian serpent, and many have died in consequence of its bite, which is most rapidly fatal,—dogs expiring in a very few minutes after they are bitten. It is seldom more than two feet and a half long, but immensely thick in proportion to its length. It is very sluggish in its habits, and rarely moves out of the way of persons approaching it.

Mr Clement Hodkinson, in his late work on Australia, published in 1845, mentions, that a man at the Williams river was bitten by a brown snake, not larger than the death adder, and died in a quarter of an hour.

The poison of the generality of the Australian snakes appears to act differently from that of the rattlesnake of America; for whereas the poison of the latter creates immediately a marked effect on the punctured wound, causing violent swelling, intense pain, and a livid hue over the surface, the bite of the Australian snake does not cause much pain or inflammation in the wound itself, but seems principally to affect the whole nervous system, rapidly causing the patient to fall into a comatose state. Lieutenant Breton mentions that a man who was bitten by a death adder died in a short period, the blood gushing from his eyes, nose, mouth and ears, and the body becoming instantaneously a mass of pu-

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trefaction. The natives on being bitten immediately suck the wound.

The symptoms produced by the bite of a serpent are, among others, a dreadful degree of drowsiness, though without much pain or uneasiness; and this it is necessary for the friends of the person who has been bitten to check, even though they use violence, as when once they fall asleep it is all over. Accidents, however, from this cause are but of rare occurrence.

We rode up to La Perouse's monument, which is erected at a beautiful spot near the Heads, that is, where the bay opens up to the sea. The entrance into the sea is about a mile wide, and the view up the bay is exceedingly beautiful. Considering that it is now approaching a century since Captain Cook landed there, it is rather remarkable that there should be so little indication of the work of man,—the country all round, with the exception of a few houses and gardens scattered here and there, having still the appearance of being in a state of nature.

To judge by the eye, I should suppose that the bay might be about ten miles in depth and four in breadth. The banks are chiefly sands, which, when the tide is out, are left dry to a considerable distance from the shore, so that I don't at all wonder that Captain Phillip was glad to escape from them. Had Botany Bay been as good a harbour as Port Jackson, the town of

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Sydney would no doubt have been built there. The monument to La Perouse is a simple round stone column about fifty feet high, with a short description on its pedestal, mentioning by whom, and to whom it was erected. Such is a brief description of the far-famed Botany Bay, a name which has often struck terror into the criminal's heart in this country, but which only produced in my mind, when standing on its peaceful, serene, and far distant shores, a sensation of solitude, and of dreariness, such as I had seldom experienced before.

On first arriving at Sydney, (which is 15,000 miles from Great Britain, by the Cape of Good Hope,) although all you see are English faces, yet you soon become aware that you are in a country very different from England. The government gangs of convicts marching to and fro in single military file, as they go to or return from their work, and the solitary ones straggling here and there, with their light woollen Parramatta frocks and trousers, or grey or yellow jackets, all daubed over with broad arrows, P. B's. or C. B's., these initials denoting the Prisoners or Carters Barracks, and various numerals in black, white, and red; with perhaps the jail-gang straddling sulkily by in their jingling leg-chains, tell a tale too plain to be misunderstood.

When strolling through the streets of Sydney on first landing, very singular reflections will

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naturally intrude upon the mind, on perceiving the perfect safety with which you may jostle through the crowds of individuals now suffering, or who have suffered the punishment awarded by the law for their offences. Elbowed by some daring highwayman on your left hand, and rubbed shoulders with by even a more desperate burglar on your right hand,—a footpad perhaps stops your way in front, and a pickpocket pushes you behind,—all retired from their wonted vocations, and now peacefully complying with the tasks imposed upon them, or following quietly up the even path pointed out by honest industry. But nothing will surprise you more than the quietness and order which prevail in the streets, and the security wherewith you may perambulate them at all hours of the night. Yet a street robbery is a rare occurrence, and even robberies of masters by convict servants are far from being common. I lived for six months in the neighbourhood of Sydney, where there were no houses for half-a-mile, and had frequent occasion to return home at a late hour, along this solitary part of the road, but never met with any interruption. I consider, therefore, Sydney a very safe place now, though I have heard old residenters say, that thirty years ago people were occasionally attacked in the streets even during the day. But at that time there were few police, and few free people, so that the convicts had it all their own way; and

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prisoners, in general, having a fellow-feeling towards each other, seldom at that time interfered. Some little interruption to the security of Sydney, no doubt, occurred in 1844; and the murder of a respectable gentleman named Noble, in his own house in the very centre of Sydney, at eight o'clock in the evening of Sunday the 26th of May 1844, made a great sensation. A meeting was held on the 8th of June thereafter of the inhabitants of Sydney, for the protection of life and property, at which Captain O'Connell, (son of Sir Maurice O'Connell, Commander in Chief at Sydney, and a relation of the celebrated Daniel O'Connell,) who moved the first resolution, said, after alluding to this murder: "But it was not only these deadly crimes that the citizens of Sydney had to complain of, as innumerable instances of violence, unattended with loss of life, were to be added to the rest. The hour of dusk had now become the hour of danger, and no man was safe." There were five men implicated in this murder, two of whom turned approvers, and one was banished, while the two worst, Vigors and Burdett, were executed. They were what are there called Norfolk Island, expirees, or more properly speaking, had been permitted to return to Sydney from that Island, on certificates of bad health. Vigors was thirty-eight years of age, by trade a shoemaker, and a native of Devonport, and Burdett forty-three,

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and a native of London. Vigors had arrived in 1828, on a charge of stealing, and Burdett had arrived in 1830, having been transported for life for burglary. The judge said, in passing sentence of death, that it had never been his lot to see so fearful a roll of crimes against one man as against Vigors. Since his arrival he had been convicted of no less than thirty-one offences; and during that time had been four times sentenced to punishment in irons, and had received for absconding, and various other offences, no less than 1100 lashes.

Sydney is certainly a wonderful place, considering that its foundation may be said to have been but of yesterday. Indeed, if we keep in view its original history, of which we must never lose sight even for a moment, it must be considered perhaps the most extraordinary city in the world. The harbour is reckoned the *ne plus ultra* of perfection, as ships lie there in deep water, secure from every wind that blows, and to this, no doubt, a great deal of its prosperity must be attributed; forming in fact the only possible inducement for founding it in the midst of so barren a country. The quantity of shipping always lying at Port Jackson is astonishing, when one takes into consideration that the whole inhabitants of a country nearly as large as Europe amount only at this moment to 200,000, a population not equal to that of some of the

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provincial towns in England. People from all the different nations of the world now find their way there; so that in addition to our own countrymen, and a few of the aborigines, one meets almost daily in the streets of Sydney, Tasmanians, Polynesians, Chinese, East Indians, United States Americans, Spanish Americans, New Zealanders, French, Germans, and the natives of the Manillas and Otaheite. To witness, also, the number of gentlemen's carriages,—some occasionally with four horses, of gigs and tandems, the crowds of people of all sorts on horseback, from the Governor down to the mounted police, or the stock-drivers from the bush, with their long whips; and to see, above all, at certain seasons of the year, the hundreds of teams from the interior loaded with wool, piled up mountains high, drawn by ten or twelve large oxen, or, as they are there called, bullock-teams, is calculated to excite absolute amazement, when one reflects that little more than half a century before, the very spot where all this splendour, all this bustle, and all these tokens of wealth and civilization are now displayed, was but a dreary and pathless wilderness, untrodden by the foot of civilized man, and the retreat only of the oppossum, the native dog, or the kangaroo.

The country for ten miles round Sydney, in every direction, but particularly towards Botany

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Bay, is extremely barren, there being only a few acres to be seen here and there under cultivation, with some bare pasture ground; but there are a vast number of marshy spots which are uncommonly fertile, producing vegetables, with the exception of potatoes, sufficient to supply the whole town. In a dry season, consequently, the market gardeners make a fine thing of these marshy grounds, when the crops on the dry grounds fail, as they get almost any price for their vegetables which they choose to ask; and they take care always to ask enough. I have accordingly seen a single stock of cabbage sold for 1s. 6d., though, I must confess, that in point of size there is nothing to be seen here that could be at all compared to it. When others, therefore, pray for rain in that country, these market gardeners pray no less fervently for a continuation of dry weather.

Though a considerable number of the houses in Sydney are built of stone, a great part of the town being actually founded on freestone rock, and though the stones, being of a soft nature, are easily wrought, yet, from labour being so high, bricks are used in all the inferior buildings as being cheaper. They build brick and wooden houses with wonderful rapidity, and they are actually tenanted before even the foundation of a house in this country could be taken out. Should the floors shrink and open up a little,—

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I met with some who seemed to consider this an advantage, as it allowed the air to circulate more freely—no small matter in a warm country ; and what is called deafening here, is there almost unknown.

The houses are almost invariably covered with shingles as in America, which make a dangerous roof, being so apt to catch fire. Slates are now beginning, therefore, to be generally used in the finer houses ; and a beautiful slate-quarry has been discovered lately near Adelaide, in South Australia. The lime in Sydney is chiefly made from burnt shells.

House rent was at one time uncommonly high there, as in the year 1842, and three preceding years, no tradesman could get a suitable house under eight or ten shillings a-week,—rents being all paid weekly ; and a house of four rooms and a kitchen, which in Edinburgh could be got for £20 a-year, would, at that time, have cost in Sydney £100. A large hotel which was finished during that period, was let at £2000 a-year, having cost the enterprizing landlord, Mr John Terry Hughes, £20,000. With the exception of some of the hotels in the United States of America it is perhaps one of the largest in the world.

Those in this country, who in every town through which they pass, see so many tickets on houses to be let, would have been astonished

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on walking through the streets of Sydney in 1841, at finding hardly a single house ticketed. When taking the census of the population in that year, they took a list also of the inhabited and uninhabited houses, and discovered that out of the many thousand houses of which the town consisted, there were only twenty-five unoccupied, though during the three following years the number of empty houses had increased to an extent almost incredible within so short a period. As rents there are, with few exceptions, paid weekly, by giving a week's notice any person can remove, an excellent plan for a migratory population. They don't encumber themselves either with much furniture, as the enlightened people of that country would rather see a good leg of mutton on their table than all the furniture in the world. This is an immense advantage to a fluctuating population, as a family here that would require at least two cartloads to remove their furniture, get their whole stock, bag and baggage, moved off there on a wheelbarrow.

In Sydney, the working classes breakfast at eight, and dine at one. This too is the common dinner hour with many people of fashion in the bush. Some people in this country are so extremely silly as to attach importance to the time when one dines, so that a person who dines at eight o'clock, the fashionable hour now in London, is considered infinitely more respectable than the

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vulgar individual who dines at two. A celebrated poet in allusion to this, has justly said,—

> The gentleman who dines the latest,
> Is amongst us esteem'd the greatest;
> But surely greater than them all,
> Is he who never dines at all.

A great philosopher has wisely remarked, that the rich man may dine when he may, but the beggar when he can.

Sydney is now governed by a Mayor, Aldermen and Council.

New South Wales may be called an auctioneering country,—almost every thing there being sold by auction; and some idea of the extent to which it is carried on, may be formed from the circumstance that, during the year 1840, the value of heritable and moveable property sold by auction in Sydney, including the sales of government lands, amounted to nearly £1,000,000 sterling.

The auction system in short is quite the order of the day in that country. Hence the auctioneers are both wealthy and numerous. One of them, Mr Samuel Lyons, a Jew, and originally a convict, makes six or eight thousand a year as an auctioneer, driving about in his carriage and four, and his auction rooms are more like assembly rooms than any thing else. The most extraordinary circumstance, however, attending the system is, that the people there frequently purchase land, cattle, and sheep, without having even

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seen them, so that it may be said that they actually buy a pig in a poke. I have attended sales of land which had been surveyed for a township, and have seen hundreds bidding who knew nothing about it, except from the magnificent plans which are there invariably made out, and exposed to public view, exhibiting broad streets, commodious market places, splendid churches, and extensive parks for recreation, all calculated to excite in them a desire to become proprietors of an allotment in so beautiful a spot. When the auctioneer accordingly mounts his rostrum, he, first of all makes a speech to his admiring audience, mustering of course all the eloquence which he happens to possess, and describes the locality of the place, and its numerous advantages, in the most glowing colours. After this address is finished, a sort of conversation or parley frequently takes place betwixt the auctioneer and his audience. One may perhaps ask, if there be any great road leading to it; another, how far it is from the sea; a third, the nearest town to it with a post office; and other questions of a similar nature, all indicating that those who are about to become purchasers actually know no more about it than the man in the moon. In order to elevate the spirits of the company, and give an impetus to the sale, a champagne lunch is frequently introduced, of which all partake, and a few glasses of that exhilarating wine pro-

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duces a wonderful effect, some of the bidders after that being apt to forget whether it is land or cattle they are purchasing, or whether the former be situated in New South Wales or at John o'Groat's house. At Melbourne, Port Phillip, during the earlier years of that settlement, they could scarcely get purchasers to attend at all, unless they gave a champagne lunch.

The representations given were occasionally so highly coloured and exaggerated, that the purchasers, in some cases, brought actions of restitution against the auctioneers, after they had seen the place with their own eyes; and these were frequently sustained by juries. There was one township in particular, called Victoria, situate in the midst of the Bush, which was nearly all sold during the speculative year 1840, there being an elegant plan of it exhibited, and a deposit of ten *per cent.* paid on the purchase money; but I believe that not a single vestige of that township has been discovered even to the present day, notwithstanding all the activity and zeal of some of the enterprizing purchasers; and the auctioneer has been unfortunately unable to make them any restitution.

Mr Stubbs is the George Robins of that country, and would eclipse his master altogether were his sentences a little more grammatical and a little more intelligible. I shall here insert one or two extracts from his advertisements,

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in order that you may have some idea of his wonderful powers of description.

In describing the estate of Kingsgrove near Cook's river, a few miles distant from Sydney, Mr Stubbs says:—

"The leading features of this estate, influence, locality, situation, roads, rivers, soil, timber, scenery, proximity and salubrity of climate, and connection with principal towns and roads. Its general and particular outline is thus defined. There are however other appliances which are usually the subject of inquiry: some of the farms are well covered with heavy, valuable, and useful timber, such as oak, iron and stringy bark, blue-gum and mahogany; whilst native shrubs and luxuriantly growing saplings are interspersed in beautiful variety over choice building situations. The surrounding scenery is of a deeper tone, and in a richer cast of perspective associations, than what is found in places exposed to the more open and characteristic boldness of a sea coast."

In describing some allotments at Rushcutter's Bay, he says:—

"Of all the cherished objects of an amateur's delight, those most preferred beyond all others of our beautiful harbour, are Elizabeth and Rushcutter's Bay. It is proverbial that every fresh visit to this delightful spot only increases the desire of seeing it again. Hence it is that scarcely

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an individual moves out of town, but he goes for the united enjoyment of health or pleasure to Rushcutter's Bay.

"To live there is at once judgment and good taste—not to be there is a continually increasing want. The situation is rated in richness of scenery, at the highest pitch of exclusive superiority. Over the bay, and glancing at Garden Island, (an interruption that rather increases the interest of the scene than not,) the eye is attracted by the numerous vessels disappearing suddenly behind some projecting point of land, and then swelling forth again with outstretched canvas, leaving the flitting topmast only to be seen: deepening towards Neutral Bay, and following the romantic cliffs of the bold North Shore, the view gradually ascends to St Leonard's and the rich and picturesque surrounding country; from thence continuously (south-west) the whole of the town of Sydney is embraced from the New Government House to the Woolloomoolloo Mills. The innumerable mansions, residences, buildings, now fatigue the sight, and with wonder we say, 'All these things are done within the memory of our own day.'

"This neighbourhood is really and truly the *tout ensemble* of good society, not that it is really meant any man's respectability is abated one jot by not 'breathing his hour' in this genial atmosphere of 'First places'—but it is to be hoped in virtue of

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good taste and judgment, that any one would prefer passing his pleasant hours here, now that the door of public competition is thrown open, and he has nothing else to do than attend the hour of sale, and take his share of the good things now put into his hand. That a few pounds only as deposit, and a liberal credit for the remainder, should secure to the purchaser such a valuable property, is surely too great a temptation for any man to resist, who regards the *health* and *comfort* of his family. No future regret will ever redeem the error of silently passing by this sale—depend upon it."

In describing a new township, called Brecon, after enumerating some of its other advantages, he adds:—

"A sufficient quantity of land for a burial ground is attached to each—a fact of some consequence, as it is well known that the relatives of deceased individuals in this district, have often travelled as far as Maitland, a distance of five and twenty miles and upwards, with their dead, engaged in the pious duty of laying their bones in consecrated ground. Convenient localities have also been reserved for a Market-place, Police Office, and Pound; and in addition to these a site has been specially reserved for a Post Office.

"Mr Stubbs further announces to his friends and the public, that a Champagne lunch will be provided on the day of sale, when the very nu-

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merous company expected to be present will have the opportunity of drinking to the prosperity of the Brecon Township. Title, a grant from the Crown."

And, in advertising the sale of Ashfield, he adds, " Lunch as a matter of course at eleven o'clock."

In describing the township of St Vincent, he states, as one of its qualifications, " As it is generally understood that the highland chief Glengarry, after traversing the Port Phillip district, and arriving here in the *Clonmel*, selected this locality for the highland home of his clan, it may be reasonably expected that before another anniversary of the foundation of the colony is celebrated, that the blue bonnets will be over its border, transplanting not only the industry, but the social and moral virtues of their father-land."

Many of his advertisements, indeed, are even more highly coloured than these, and I have often wondered how the ignorant people of that country understood them, as they were far beyond my comprehension, and my firm belief is, that he did not understand them himself.

The last of his advertisements, which I shall insert, is with the view of giving you an idea of the enormous quantities of liquors of all kinds that now find their way into that wonderful country.

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This stock was at the stores of Messrs Tucker & Co., and consisted of

WINES.

Two hundred dozen of superior old Port.
Fifty cases ditto pale Sherry.
Fifty dozen ditto Sauterne.
Fifty ditto ditto Preignac.
Two hundred ditto ditto sparkling Champagne.
Fifty ditto ditto ditto Moselle.
One hundred ditto ditto Claret.
Fifty quarter casks pale Sherry.
Twenty ditto ditto brown ditto.
One hundred and twenty octaves ditto ditto.
Twenty hogsheads Cape Wine.
One hundred quarter-casks fine Tarragona.

SPIRITS.

Fifty hogsheads Godard's Cognac Brandy.
Twenty ditto second quality.
Fifty quarter casks superior ditto.
Thirty ditto pale Gin.

BEER.

Fifteen hundred dozen bottled Ale and Porter, of Dunbar, Marzetti and Williams.
One hundred hogsheads Taylor's Porter.
Thirty ditto Ind's pale Ale.
Twenty barrels Burton Ale.

"Great joy," Mr Stubbs adds," has been ex-

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pressed by several well known connoisseurs of the sparkling glass, and judges of the bees'wing —that this long bottled-up stock is at last to see day-light; and it may be as well for some of the hotel-keepers, both in town and country, to take the hint, and lay in a good stock from the sale, so that the wine-list when called for, may have these entered as *corner bin*, &c.

" N.B.—Printed catalogues with fuller particulars are being prepared as to numbers of lots, as any quantity of wines, &c., may be purchased; the above being only a small proportion of the immense stock of wines, &c., which will be offered in lots to suit purchasers."

You will observe it stated in this advertisement, that the above was only a small portion of the stock, and must bear in mind that this was only one of the sales of a similar nature that are occurring almost daily in that country. In addition to these sales of foreign liquors, the quantity of colonial ale brewed is immense. The value of liquors of all kinds, in short, consumed in that colony, is computed at not less than £1,000,000 sterling annually, including the duty, or about £20 sterling per head, for each free male adult, and consequently ten times more than the average consumption of the same number of individuals, in any other part of the globe. It would thus be a good field for the operations of Father Matthew; and if he did not succeed in convert-

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ing them, I venture to say that they would convert him, as the clergyman sent to convert a Jew to Christianity had the candour to confess that the Jew had almost succeeded in converting him. I may mention before concluding this part of my narrative, that there are in Sydney alone betwixt 200 and 300 licensed public houses.

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CHAPTER II.

Wool the staple commodity—Duties of a Shepherd—Grand discovery that Weavers make the best Shepherds—Extensive Plains—Rivers—Population Returns—Great demand for Women—The Clergy how endowed—Mode of spending the Sunday—Dr Lang's Sermons—Tyranny of the Police—Periodical Droughts— The Climate.

Wool is the grand staple commodity of Australia, and the circumstance of nearly 20,000,000 pounds of wool (worth upwards of £1,000,000 sterling) being shipped from it to Britain during the year 1846 will give an idea of the wonderful traffic that in a few years will arise from that article, and this alone will enable it to maintain its elevated position in the scale of nations. The number of sheep at present depasturing throughout Australia is computed at 10,000,000, besides 2,000,000 of cattle and 100,000 horses. One gentleman alone, Dr Imlay, had at one time a stock of 400 brood mares. Sheep are supposed to double every four years, after making

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allowance for those that die of disease, and those used for food, and for boiling down, so that by the year 1851, there will be 20,000,000 of sheep in that country. Except at some few favoured spots it requires at least three acres to feed one sheep throughout the year, in the Sydney or middle district, though in the Port Philip and South Australian districts two acres are sufficient. Indeed the committee of the legislative council state in one of their reports, that, "within the limits of the nineteen counties constituting the old colony of New South Wales, not more than two-sevenths of the land can be considered fit for either pasture or cultivation; but beyond the limits of location, the country improves in every direction. The province of Australia Felix, in particular, is the richest hitherto discovered in New Holland, and is capable of supporting perhaps as dense a population as any portion of the globe of equal extent."

The duties of a shepherd in New South Wales are exceedingly simple:—A flock now usually consists of about 1000 ewes, or 2000 dry sheep, two and sometimes three flocks being folded at one station. The shepherd is required to take his sheep from the fold in the morning, not later than an hour after sunrise, to keep sight of them on the pastures throughout the day, and to bring them back at sunset to the fold. They are then counted over and left in charge of the night

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watchman, whose duty it is to take care of the flocks in the folds until the morning, when each flock is again counted and delivered over to the shepherd. In the lambing season, on well-managed establishments, the ewes about to lamb are withdrawn from the flock and kept separate, under the care either of the watchman, or of some other person appointed for the purpose for a few days, until the lambs are strong enough to travel with the flock. At shearing time, the flocks are brought in rotation to the home station, to be washed and shorn. It is then the shepherd's business (unless he be also a shearer) to follow his sheep and take care that they are kept as free as possible from any kind of dirt, until the fleece is in a fit state to shear, which, in general, is the case about the third or fourth day after the washing.

From this account of the ordinary duty of a shepherd in New South Wales, it will be seen that almost any one is capable of taking charge of a flock. Sheep are subject to very few diseases, and with the treatment of these either the master or the overseer will be conversant. In such cases, the shepherd has only to follow diligently the directions he may receive from those under whose superintendence he is placed, and if possessed of common intelligence he will soon be capable of acting for himself. In fact a weaver or button maker, after a few months'

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experience, will generally prove a better shepherd, in New South Wales, than the man, who, having been brought up a shepherd in England, may have acquired habits or prejudices exceedingly difficult to shake off, however unsuitable to the new position in which he is placed; in proof of this it may be noticed that some of the best superintendents of sheep in the colony are natives of London, Manchester, or Birmingham, and that few professed English or Scotch shepherds are entrusted with the care even of a single flock. The duty of a watchman is as easy as that of the shepherd; he sleeps by the fold, in a watch box, trusting to his dogs to awaken him in case of the approach of a native dog or any other cause of alarm; he counts the sheep in and out, and shifts the hurdles daily. Nor is the life of a shepherd at all irksome to those who have been accustomed to sedentary occupations; on the contrary, such persons have in various instances become strongly attached to it, which will not seem surprising when it is considered that it is a life of very great ease, and freedom from care. Indeed, it is commonly remarked of the shepherds, that they are more healthy, and seem much more cheerful and contented than any other class of farm servants. The wages of a shepherd or watchman are about L.30 a-year on an average, with weekly rations

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of 10 lbs. of meat, 10 lbs. of flour, 2 ozs. of tea, and 2 lbs. of sugar.

It will be seen from the above sketch of the duties of a shepherd, that any person with steady habits and ordinary activity will very soon be qualified to undertake that employment. London pickpockets were at one time considered the best shepherds, as that occupation seemed to answer their naturally idle habits. The free, industrious immigrant labourers have always, indeed, shewn great reluctance to undertake that office, as they do not seem to relish the lazy employment of looking after sheep. An idea is prevalent here, that none but those regularly trained, are fit to act as shepherds in that country; and, in consequence of this absurd notion, we hear every day of people when they emigrate, carrying out regularly bred shepherds along with them. In a debate that took place in the House of Commons, on 22d April 1841, regarding New South Wales, I observed that Lord John Russell had fallen into the same popular mistake, as he said, " The generality of persons who desire to emigrate were those burdened with large families, or else belonging to the distressed artisans, whose occupations had ceased; and these were not classes the best adapted for the purposes for which emigrants were required; for a person whose occupation had been that of a weaver would make a very bad figure in looking after

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sheep. Those persons who were best adapted for emigration were young healthy single men, and they were precisely the classes most in request for this country for servants." Now, our distinguished friend is sadly at fault in this assertion, as a grand discovery was made some years ago in that country, that weavers made the best shepherds. In confirmation of this I may mention, that a great public meeting was held in the district of Bathurst, one of the greatest sheep districts in that country, on 30th July 1841, for the purpose of concerting measures for a regular supply of shepherds and other labourers, which almost all the stockholders in that district attended, and the following was the third resolution unanimously adopted by that meeting :—

Moved by George Rankin, Esq. and seconded by William Lawson jun. Esq.

" That this meeting would recommend the extension of the Bounty System to the parents of large, agricultural and pastoral families, though above the age of forty years, such persons not being now entitled to a free passage if above that age, and also to hand-loom weavers, and other manufacturing artisans, being of opinion that these individuals frequently make the best shepherds, having no prejudices to surmount, nor former habits to unlearn."

A variety of excellent speeches were delivered on that occasion, and Mr Street, in the course of

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his speech, made the following remark: "We wanted shepherds, as our wealth was wool. No assignee to whom manufacturing artisans had been assigned, but would admit that they made the best shepherds. Shepherding was repugnant to agricultural labourers, and men who had been shepherds at home were unteachable and obstinate; they could not readily fall into colonial pastoral habits, and abandon the dissimilar pastoral habits of Great Britain. It was easier to teach the artisan to whom the indolent life of a shepherd was grateful."

It appears from this that it is found easier for a new hand to learn, than for an old one to unlearn, which shews the difficulty of getting the better of old habits. This is strikingly exemplified in the case of old bachelors, who have a great aversion to enter into the married state, as this would upset their long acquired habits; whereas, old men who have been all along accustomed to a social life, are quite unhappy when their partner has been cut off, and seldom rest satisfied till they get another. A striking example of this occurred a few years ago, in the case of a reverend old gentleman of the name of Bankhead, a Presbyterian clergyman in the neighbourhood of Belfast, who died within these few years at the advanced age of 107. This venerable divine married his second wife when he was approaching a century, who bore him a son when

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he was ninety-six. His eldest boy, as he called him, was eighty-four when his father died, so that it must have been a singular exhibition to have seen the two brothers, one eighty-four and the other eleven, attending their father's funeral.

In a country so vast as New South Wales there is, of course, every variety of ground, and some of the plains, in particular, are of great extent: the Bathurst plains containing 60,000 acres, and the Goulburn plains 35,000. Besides these the Emu plains, the Yass plains, the Liverpool plains, the Maneroo plains, the Macquarie plains, the Cow-pastures, and many others, are also very extensive.

The chief rivers are the Hawkesbury, the Murrumbidgee, the Murray, the Hunter, the Lachlan, the Nepean, the Hume, and some others. Most of these rivers are completely dried up when there is a drought of any continuance; while, at other times, after a flood, they come down with a force and a torrent of water, of which, in this country, we can hardly form any conception. The Hawkesbury, which is the most beautiful river I saw in that country, rose eighty feet in perpendicular height during the year 1826, so that it had all the appearance of a rolling mountain of water. Had it not been that the town of Windsor, about forty miles from Sydney, and now containing 2000 inhabitants, was built upon a ridge about ninety feet above

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the bed of that river, the whole inhabitants must have been swept away.

The population of New South Wales, by the census of 1841, was 128,726, according to the following analysis:—

MALES OF ALL CONDITIONS.

Free,	Born in Colony,	14,819	
	Arrived free,	30,745	
	Other free,	15,760	
			61,324
Bond,	. . . .		23,844
	Total Males in Colony,		85,168

FEMALES OF ALL CONDITIONS.

Free,	Born in Colony,	14,630	
	Arrived free,	22,158	
	Other free,	3,637	
			40,425
Bond,	. . . .		3,133
	Total Females in Colony,		43,558

It will be seen from this analysis, that the adult male population in that country, was at that time, and still continues to be, about double the female; but as there were at that time five unmarried men to one unmarried woman, only one man in five could have gotten a wife, even though he had wished one. This, in a new country, was a serious evil, as it had been re-

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marked that those convicts whose wives were sent out to them from this country, after they had obtained their tickets of leave, generally did best. Convicts, however, are not allowed to marry till after they get their tickets of leave. At one time the demand for women for wives was so great, that young men were in the habit of going on board the different emigrant ships that arrived, to inspect the unmarried women, as a butcher would inspect a cargo of cattle, and they frequently get wedded before leaving the vessel, —a courtship among that curious people seldom lasting above three days. The demand, however, is not so great now as formerly, as, among the 50,000 emigrants who arrived in that country, during the five years preceding 1842, there were a due proportion of women; and during the year 1841, in particular, the number of unmarried women who arrived was 4203—a most seasonable supply.

In regard to the different occupations of the inhabitants, it was computed that, in 1841, the domestic servants amounted to 10,000; mechanics to 11,000; shepherds and agricultural labourers to 13,000, and landed proprietors, merchants, &c., to 5000. In regard to the different religious sects in the country at the same period, those belonging to the Church of England amounted to 73,000; to the Church of Rome, 35,000; to the Church of Scotland, 13,000;

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Methodists and other Protestant Dissenters, 5000; Jews 800; Mahometans and Pagans, 200. The population of New South Wales, including Port Phillip, now amounts to nearly 200,000.

The clergy there are endowed partly on the present French system, of the Government paying nearly every denomination upon the same principle, and partly on the voluntary plan. Sir Richard Bourke, when Governor of that country, being aware that colonists in general are averse to a dominant and endowed church, intimated in one of his despatches to Lord Glenelg, then secretary of state for the colonies, that he had, in the meantime, selected the three grand divisions of Christians indifferently. These are called the colonial churches, and consist of the Church of England, the Church of Scotland, and the Church of Rome. Whenever any one of these sects form a congregation, amounting to a certain number, and subscribe a certain sum for the erection of a church and parsonage house, the Government contribute a stated sum annually for the endowment of the clergyman,—regulated, in some measure, by the number of his congregation,—and allowing them to give him as much more as they think proper. The Government contribute also to the erection of the church and residence for the clergyman. This plan has been found to answer admirably; and has been introduced also into Van Diemen's Land.

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The people of that country, however, do not seem to trouble themselves much about religion. Out of a population of 45,000 at present in Sydney, I do not believe there are above 5000 who ever attend church at all; whereas Dr Lang mentions, that in the United States of America the one half of the population attend church regularly. All the butchers' and bakers' shops are open till ten in the morning, and many other shops besides. In a warm country like that it is found necessary to allow the butchers' shops to be opened in the Sunday morning, as, at certain seasons of the year, the heat is so great that they are obliged to eat the meat a few hours after it is killed, otherwise it would be fly-blown and one mass of corruption. Instead of dining on cold meat, and any thing else, to save the trouble of cooking on the Sunday, and the sin of doing so, as some think in this country, the Sydney people, particularly the working classes, make that the great day for feasting; and the quantity of pies and roasted meats, of every description, to be seen carrying through the streets at one o'clock on the Sundays, from the different ovens throughout the town, would rejoice the heart of many a poor starving creature in this country. After three o'clock the nobility (*alias* mobility) and gentry start in their carriages and gigs along the Parramatta Road, for an airing in the country,

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and the multitudes of people riding on horseback in that country are perfectly astonishing.

When I first arrived in that country I met numbers of young men, on the Sundays, going into the bush to shoot parrots, or any thing they could find, but the Lord Bishop of Australia brought a bill into the Legislative Council to put a stop to it. His Lordship remarked, in his speech on that occasion, that though his bill applied only to shooting, he thought that boating, cricketing and fishing should be abolished also. In alluding to the different bills introduced into the House of Commons on this subject, he stated that their failure had arisen from so many things being left doubtful and not properly defined, and that as it was impossible to ascertain the motives from which human actions sprung, that it was impossible to legislate for such cases. That legislation could, therefore, be applied only to those cases that were palpably open and undeniable violations of the Sabbath, and shooting must be viewed in that light. His Lordship was so far liberal, however, that he considered it a work of necessity to allow the harvest to be secured in case of emergencies, and that this had been done in the earliest ages,—the Emperor Constantine having formed his statutes under that proviso. In the debate that occurred on this bill in the Legislative Council, a body consisting, at that time, of fifteen members, the Attorney-General

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said,—" That with respect to cricketing and fishing he saw no profanation of the Sabbath in them. By act 1 Charles I., amusements on the Sabbath day were recommended, and many of the English clergy thought them innocent. In the reign of James the First, the Chief Justice of England wished to put down sports on the Sunday, but Archbishop Laud interfered, and wrote to the Bishop of Bath and Wells on the subject, who replied, that sports, games and amusements were lawful, and should not be put down. Education, not legislation, should be the corrective of the profanation of the Sabbath." These remarks, falling from a person in so prominent a situation, produced a sort of commotion among the Presbyterian clergy in that country, and Dr Lang set a-going a series of sermons, (which were afterwards printed,) by members of that body, with the view of counteracting their influence, and delivered the first himself. The reverend doctor demonstrates very clearly that there is no particular command, applicable to Christians, in regard to the day on which they should keep the Sabbath, as among the Jews of old, but that, from God's command to that ancient people to keep the seventh day holy, Christians were required, in like manner, to dedicate one-seventh portion of their time to his service; and that to prevent confusion it was necessary that some particular day should be set

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apart in which all might engage at the same time. He shewed, also, that from the physical construction of the world, the same day cannot be kept throughout the whole of it, and illustrated this, in his printed discourse, in the following manner:—

"To intelligent persons residing in these uttermost parts of the earth, the change of the Sabbath from the seventh to the first day of the week must necessarily appear in a somewhat different light from that in which it appears to the great majority of the dwellers in the old world. It is, doubtless, well known to most of you who are here present, that a vessel arriving in this port, either from Europe or America, by way of Cape Horn, will be found observing the Sabbath on a different day of the week from the one on which it is observed by those who have come hither by the usual route of the Cape of Good Hope. There cannot, therefore, be anything intrinsically holy in any one day of the week rather than in another; and in certain cases of constant occurrence in the European intercourse of this colony, as, for example, in my own, the Sabbath may fall to a particular individual, or company of individuals, supposing them to reckon on from their birth in weeks of seven days, on a very different day from that in which it falls to all around them. For as it has been my lot to circumnavigate the globe five

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times from the westward, I have had to cancel not fewer than five whole days in my own reckoning of time; for if these days had not been so cancelled, this day on which we are here assembled for the public worship of God, would, instead of Sabbath the 18th, have been to me Friday the 23d of July. All, therefore, that is essential in the divine institution is, that one day in seven be kept holy as the Sabbath of the Lord. The particular day on which the Sabbath is to be observed is obviously of lesser importance; for while this point may be affected even by the peculiarity of our geographical position, the divine command to consecrate to the Lord's service a seventh part of our time, is of universal and perpetual obligation."

The Rev. Mr Adam, an American Presbyterian divine resident in Sydney, who delivered another of these discourses, quoted the following testimony of Sir Matthew Hale, Chief Justice of England, to the good effects resulting from a strict observance of the Sabbath:—

"1. Whenever I have undertaken any secular business on the Lord's day, which was not absolutely and indispensably necessary, that business never prospered and succeeded well with me. Nay, if I had set myself that day but to forecast and design any temporal business to be done or performed afterwards, though such forecast were just and honest in itself, and had as fair a pro-

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spect as could be expected, yet I have always been disappointed in the effecting of it. So that it grew almost proverbial with me, when any importuned me to any secular business that day, to answer them, that if they expected it to succeed amiss, then they might desire my undertaking of it upon that day. And this was so certain an observation of mine, that I feared to think of any secular business that day, because the resolution then taken would be disappointed or unsuccessful.

" 2. That always, the more closely I applied myself to the duties of the Lord's day, the more happy and successful were my business and employments of the week following. So that I could, from the loose or strict observance of that day, take a just prospect and true calculation of my temporal success in the ensuing week."

In the " Emigrant to North America," the author says, in like manner, " I never yet knew an instance (and I am no fanatic) of a man succeeding in the world to an extent at all commensurate with his means, who paid little or no regard to the Lord's day, and did not attend church."

Dr Hook, the celebrated vicar of Leeds, in a sermon which he preached on 10th October 1841, takes the same view of this subject as Dr Lang.

The doctor commenced by saying it was the custom of our church, and all Christian churches,

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to set apart the first day of the week for the worship of God—that the Apostles met together for prayer and breaking of bread on that day, and that our Lord arose from the dead on the first day of the week—that the fourth commandment was *abrogated*, although the spirit and principle of it must not be forgotten. He then read a quotation from one of the early fathers, St Jerome, to the like effect, and proceeded to state that ever since the Reformation, the first day of the week had been strictly observed in this country as a Sabbath, and the practice of reading the commandments in our churches had been continued to the present day—therefore, it was *our* duty to continue it still. The spirit of the fourth commandment was, that we should devote a seventh portion of our time to the service of God. If no particular day were appointed, men would soon neglect the ordinances of God. Calvin wished Thursday to be set apart for religious worship, because Friday was the Mahometan's Sabbath, Saturday the Jew's Sabbath, and Sunday the Sabbath for the Roman Catholic Church of Christ. St Ignatius called the first day of the week "*the Lord's day*," a day of rest—a Sabbath, but not "*the Sabbath day*." The Lord's day is better observed in this country than in any other. In Protestant countries where amusements are allowed on that day, there is a coldness in their religious services

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that is not to be observed here. In this busy country it is a wise regulation that one day out of every seven should be set apart for the worship of God. He then concluded by exhorting his hearers to dedicate to the Lord, the Lord's day, and it would assuredly bear the stamp of heaven, and endure throughout all generations.

Mrs Trollope is the most enthusiastic admirer of the continental mode of keeping the Sunday, whom I have met with; as in her work, entitled "Vienna and the Austrians," she says of a Sunday at Vienna, "yesterday being Sunday, the day which all catholic hearts hail with such a cordial blessing, was passed from the moment the last mass was ended, in a ceaseless activity of enjoyment to which sober England, (merry, alas, no more,) can offer no counterpart, and of which she cannot very correctly form an idea."

The Scotch who are proverbial in their own country for their rigid observance of the Sunday, seem unfortunately to fall off by the way-side when they move to the continent. This will appear from the following account of Boulogne in France:—

"Boulogne," says the author, "is not without its full share of representatives from Scotland. Passing along the *Rue de l'Eau* one night, I unwittingly overheard a girl say to her companion, as she passed me—'Hech, Sirs, but he was aye a fushionless body.' Ho, ho, thought I, may

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Glasgow flourish!—no mistake about that delicious Clydesdale patois; and so it proved. There is a spining-mill—cotton, I think—erected by Scotch proprietors in one of the suburbs of Boulogne, and hither they brought a fine batch of Glasgow lasses to work the spindles, and show the girls on the banks of the Lianne how they order things on the banks of the Clyde. The experiment has, I believe, succeeded very well. The Glasgow young ladies are great favourites with the Frenchmen, and the native fair of Boulogne are of course proportionally jealous. Sometimes, when considerable bodies of both parties meet, there is, I believe, a grand scolding match. The French girls cry '*guerre aux Ecossoises*,' and, of course, a suitable reply is always forthcoming. However, I believe the contest never reaches the length of cap-pulling, being exclusively confined to a brisk interchange of somewhat impolite epithets touching each others personal charms and adornments. Most of the Scotch girls speak French well, and have, in many cases, married and settled permanently among their Gallic friends. I am only concerned to be obliged to add, that the Glasgow damsels have (unless fame belies them) so far forgotten their douce Presbyterian education as to get up a regular Sunday evening dance, which is, I understand, a most popular affair, and greatly run after by *les jeunes gens de Boulogne*.

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"Talking of Sunday, the semi-English character of the town is pretty well displayed in the sprinkling of shops which are closed on that day. With the French it is, of course, a day half of business, half of pleasure—in fact, a half-holiday; the shops are open in the morning, tradesmen go about their usual occupations, some of the women go for a short time to church, and then, when evening comes, both sexes and all ages give themselves up to recreation. The theatre is crowded—cafés are swarming—a billiard-table is hardly to be had for love or money—all manner of games and amusements are in full activity—music sounds in every street and from every tavern, and, altogether, a scene is enacted fit to break the very heart of Sir Andrew Agnew."

In the following remarks I completely agree with this author.

" Among the many agreeables of France is the (to me) delightful agreeable of French cookery. The man is little to be envied who would prefer the coarse, clumsy, solitary joint of meat, which forms the staple of an English dinner, to the light, varied, seasoned, piquant, variety of dishes which make up the sum total of a French meal. But there is, I grieve to say it, even in this nineteenth century—this schoolmaster-abroad age—a class who sing hymns of exaltation to the " Roast beef of Old England" system, over the scientific and elaborate cuisine of France. In

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all that relates to the kitchen, the French are immeasurably before us. Common English cookery—the plain roast and boiled cookery—is that of a half civilized people. Calling the resources of chemical science to aid the common arts of life—bringing skill, and something like knowledge of chemical combinations into play, in preparing a dinner, is what the French have very wisely aimed at doing; and, accordingly, where taste is not mere gross appetite—where the quantity of solid meat consumed is not the test of the excellence of the entertainment—French cookery is admired and appreciated. Who would change the succession of dishes—each, perhaps, only a mouthful, but appearing in long and varied array—soups, fish, every sort of meat dressed in every description of style and manner, vegetables, prepared not in the monotonous unchanging routine, which forms the curse of every English table, but appearing in as many guises of cookery as there are varieties of species—who would change this for the one huge dish of roast or boiled, and the light claretty banquet-breathing wines of France, for the heavy stuff of Portugal and Spain, except some thick-headed, huge-stomached John Bull, whose prejudices in the matter, I will take leave to say, are not respectable—no, nor reasonable either. But your thorough Mr Bull would sooner give up his identity, than his firm belief in the surpassing

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excellence of the 'plain roast and boiled,' and his stupid contempt for the 'kickshaws' and 'flummery' of the 'Mounseers of France.' So be it—the loss is his own."

The police of Sydney, till within these few years, was conducted with a degree of tyranny, which, to the people of this country, would appear almost incredible. Perhaps, with a population formed of such materials as are to be found in that country, a greater degree of rigidity is requisite than here; but it appeared to me that the laws had been originally framed for a penal settlement altogether, and had not been relaxed in their severity as they ought to have been, when the free emigrants outnumbered the convict population. The constables were in the habit, previous to the year 1841, of seizing every person indiscriminately, whom they considered in the least degree inebriated, and an eminent surgeon in Sydney was taken up one evening as being drunk, from his having accidentally missed his footing and fallen in the dark, and would have been thrown into the lock-up house with all the blackguards in the country for fourteen hours, and then fined, had not a gentleman of respectability who had been with him only a few minutes before, come forward and vouched for his being perfectly sober. The fine for being drunk increased with the number of convictions, part of it going to the constables who appre-

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hended them; and as the greater part of them at that time were ticket of leave men, the temptation was too great for that class of men to withstand, so that they were not over scrupulous in swallowing the oath that they considered the party drunk. They were, moreover, convicted on the oath of a single constable, and that constable, be it remembered, having a direct pecuniary interest in the conviction,—a perversion of justice unequalled, perhaps, in the world. Hundreds of respectable people paid the fine every year, who were comparatively sober, rather than be kept in a dungeon and exposed next day to the perjury of some of these constables. People of all ranks were locked up in the same dungeon, their pockets being first emptied, and any money they had handed over to the officers, in case, in the dark hole into which they were thrown, any of their fellow prisoners might relieve them of it. Those unable to pay the fines imposed by the magistrates in the morning, were sent to the stocks, a punishment which has little else to recommend it but its antiquity, and this it certainly can boast of, as in the 13th chapter of Job it is written, "Thou puttest my feet also in the stocks." The stocks in Sydney can accommodate eight or ten at a time, and I seldom passed in the forenoon, without finding some of the seats occupied, the women being nearly as numerous as the men. I once met a mechanic

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who had paid the fines so often, that he made up his mind to pay them no longer, but to go to the stocks. He accordingly was sent there for his next offence, but as the constables made nothing of those who went to the stocks, he told me himself that they never troubled him afterwards, though he often passed them in a state of rejoicing. I have seen unfortunate females sent to jail for a month, merely for walking the streets, though not accused of being drunk or disorderly, or molesting any one. Had the same system been adopted in Edinburgh or Glasgow, they must have made use of the Calton Hill of Edinburgh and the Green at Glasgow to have held the culprits, as no jail or police office in the world could have contained the twentieth part of the candidates for admission.

When the present superintendent of police, Mr Myles, who was sent out from this country by the Home Government, assumed the reins of office in 1841, he altered the system entirely, adopting the London plan, and gave orders to the constables that people when drunk were to be asssisted home if they could possibly walk, and mention where they resided; and that none but the noisy and obstreperous, and such as could not walk, were to be taken to the office, so that Sydney has now become a place where a decent person may live.

The word bloody is the favourite oath in that

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country. One man will tell you that he married a bloody young wife, another, a bloody old one; and a bushranger will call out, "Stop, or I'll blow your bloody brains out." I had once the curiosity to count the number of times that a bullock driver used this word in the course of a quarter of an hour, and found that he did so twenty-five times. I gave him eight hours in the day to sleep, and six to be silent, thus leaving ten hours for conversation. I supposed that he had commenced at twenty and continued till seventy years of age, that being the period when it is said,

> Threescore and ten years do make up
> The days and hours we see,

and found that in the course of that time he must have pronounced this disgusting word no less than 18,200,000 times.

In a small work written by a lady who had lived for two years in the Bush in New South Wales, in the Port Phillip district, she says, in describing the journey to her husband's station, "The Scotch clergyman from Melbourne passed us on the road. He rebuked our bullock-driver for swearing at his bullocks; but the man told him that no one ever yet drove bullocks without swearing,—it was the only way to make them go."

The greatest drawback under which New South Wales labours, arises from the droughts

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which occur almost periodically, and generally at the distance of nine or ten years. The longest one on record was during the years 1826, 7 and 8; and a person who was there at that time told me, that the whole rain that fell during these three years, particularly in the county of Cumberland, where Sydney is situate, would not have filled his hat. Another drought occurred during the years 1838 and 1839. The quantity of cattle that perished in consequence of these droughts was very great, vast numbers having died, even after the rain came, from drinking too greedily. Comparatively few of the sheep, however, suffer on these occasions, though they often desert their lambs; a circumstance taken notice of in the 14th chapter of Jeremiah, where it is written, "Yea the hind also calved in the field and forsook it, because there was no grass." The lambs, however, have frequently to be killed on such occasions, in order to preserve the mother.

The seasons there are exactly the reverse of those here, and the winters are often extremely cold, though in all the low parts of that country frost and snow are almost unknown. When you ascend, however, to higher ground, the climate becomes quite changed. At Bathurst plains for instance, 136 miles from Sydney, which are two thousand feet above the level of the sea, they have frost and snow every winter, that elevation being

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equal to ten degrees of latitude, which renders the climate there much the same as in Van Diemen's Land, ten degrees to the south. The temperature, it is well known, diminishes as you ascend. At the equator, for example, the line of perpetual snow is about three miles perpendicular height above the level of the sea, while in Great Britain it is only about one.

The situation of New South Wales being so much farther to the east than Great Britain, affects also the relations of time, as the sun rises ten hours sooner there than it does with us. Hence, at ten o'clock in the evening, when the working classes here are preparing to turn into bed, those of the same class in that country are about to sit down to a sumptuous "dejeuné a la fourchette," every body there having animal food to breakfast, and breakfasting at eight o'clock. From this has arisen the trite saying, that on the British dominions the sun never sets; as when setting on one part he is rising on another.

Australia is considered more healthy than America, and fully as much so as this country. The difference of temperature throughout the year is extremely equal, the average temperature of winter being fifty degrees, of spring sixty-five, of autumn sixty-six, and of summer seventy-six. There is a serene and beautiful blue sky, deeper in the tone than ours, during nine months in the year, and a story is told of an Irish girl, who

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had been banished for seven years, and on the expiry of her sentence had returned to Dublin, having actually committed a new crime on her return to her native country, in order to be transported again, exclaiming when she received sentence; "Hurrah for Old Sydney, and the sky over it!" The hot winds which resemble the siroccos in Sicily, are, however, a drawback to the climate, though they seldom last above a few hours, and occur but four or five times in the course of the season. The thermometer is sometimes raised by them to 120 degrees in the shade, but they are almost invariably succeeded by what is there called a "brickfielder," which is a strong southerly wind, which soon cools the air, and greatly reduces the temperature.

The mosquitoes at Sydney are exceedingly troublesome, disturbing one's sleep very much. In some parts of America whole settlements have actually been abandoned in consequence of these annoying insects, and from having experienced their effects in Sydney, I do not wonder at it. I met with none of them, however, after crossing the Blue Mountains, and arriving at Bathurst.

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CHAPTER III.

Bathurst—Number of Bullock Teams crossing the Blue Mountains—Funeral Ceremonies and Consecrated ground—Iron gangs—Governors Macquarie—Brisbane—Darling—Bourke—Gipps—and Fitzroy.

THE rich territory of Bathurst Plains was discovered in 1813 by Messrs Wentworth, Lawson, and Blaxland, and was then considered, as it still is, a discovery of the highest importance. Nearly the whole of the available lands in the counties next the sea, occupying the space between the barren range of mountains and the coast, having been already located, or in the possession of settlers, there was none left for the thousands that were yearly arriving in the colony.

On the discovery of these fertile plains, therefore, the superabundant emigrant population which had been put up, as it were, on the narrow stripe between the mountains and the sea, left that territory, and, crossing the mountains with their flocks and herds, poured down

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upon this new land of promise, spreading themselves and their flocks far and wide over its rich domains.

When these plains were first discovered, the grass was so long that it was almost impossible to see the sheep grazing; but on looking down upon them at the present day, from the Blue Mountains, a few miles off, they have all the appearance of a sea of dry sand. On coming to them you find them completely bare, from having been so long pastured; and an uncropt cover of grass in a hot parched country prevents the roots being burned out by the sun, and the vegetable matter in the soil evaporated by the arid heat.

Nothing astonished me so much when travelling on the Bathurst road, as the immense number of bullock-teams which I met, loaded with wool to be shipped at Sydney. There are, generally, from eight to twelve bullocks in each team, and it is surprising how cheap they carry down their wool hundreds of miles from the interior. When they leave their stations in the bush, they carry as much provisions with them as will carry them to Sydney, and even occasionally till they return. They travel ten or twelve miles a-day—draw off to the side of the road towards the evening, generally, if possible, near to some water hole—turn their bullocks to feed in the bush—kindle a fire—boil their kettle—make

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their tea—bake a damper, which is a flour loaf made without yeast, and then thrown among the wooden ashes, and most delightful bread it makes; and thus, with a little salt meat or cheese, they make a very comfortable repast. When near to a public house they seldom fail to wash it down with a glass of rum, or draught London porter. At night they spread out their mattresses below their teams, and sleep for months in the bush in this manner, infinitely sounder, I have no doubt, than either Albert or Victoria. They consume, however, a good deal of time every morning looking for their bullocks, and occasionally they lose them altogether.

The bullocks for slaughter are driven along the road by the stockmen at a slow trot, but they are not so much encumbered with fat as the animals you meet with crawling along the roads in this country. Those that are slaughtered in the bush, are first driven into a small inclosure, with a lofty fence around it, and then shot. I have seen them receive several shots before they fell. At Sydney they walk above them amidst the open rafters, and have a long sharp lance or spear, which they sink into the brain, at the upper part of the head, when they drop instantly. They are so wild that it would be dangerous to approach them otherwise.

The Bathurst road is carried along the top of the ridge of the Blue Mountains for nearly eighty

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miles, and with the exception of the few houses, chiefly inns on the road, there is not the vestige of human habitation to be seen during the whole of that distance,—there being nothing on every side but one mass of interminable forest, exhibiting a scene of solitude, and desolation, perhaps unequalled in the world. Most of the inns upon the road are kept by Scotch people; and in the gardens of several, which I had occasion to enter, I found a grave at one corner. It forms a striking part of the simplicity of the Presbyterian religion, that they have neither funeral ceremonies, nor consecrated ground. This is a wonderful advantage in a country like New South Wales; as you will recollect that the celebrated auctioneer, Mr Stubbs, stated as one of the advantages of the new township of Brecon, that a burial ground was to be attached to it, which would save the Church of England people the trouble of travelling to Maitland,—a distance of twenty-five miles,—for the pious purpose of depositing their dead in consecrated ground.

An eminent English writer hath said, in reference to this subject:—"And is it really so, that at the present day the opinion prevails, that a dead man cannot rest in his grave except a priest of the National Church pronounce a few cabalistic words over his tomb! What, then, are we to say of the martyrs, and all the great and good of former times—men of whom the world

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was not worthy—over whose graves no priest pronounced a benediction; men who, in fact, often found no grave; whose bodies were consumed in the fire, or devoured by wild beasts,—do they sleep less soundly than those over whom a man, who is paid for so doing, reads a few sentences prescribed by law? And that other notion regarding consecrated ground—is it really so that at this day the opinion extensively prevails that one spot of ground is holier than another—that a church-yard is a softer resting-place than any other spot of God's earth, and that it is so because a priest who finds it his interest has made it so? If the people of England entertain such notions regarding burial services and burying grounds, with what feelings must they regard the thousands of their countrymen—of their fathers, and husbands, and brothers, who lie in the field of Spain, and of Flanders, and in the bottom of the ocean? No priest said "dust to dust" at their burials; none spoke of a blessed resurrection to them; but do they sleep less soundly; is there less of a certainty that to them there shall be a resurrection than to those at whose funeral a priest officiated, and who are laid in consecrated ground?"

The Roman Catholic and Church of England people imitate the Jews in their funeral ceremonies more, perhaps, than in any thing else. The Jews seem also to have had their consecrated

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ground, called by them holy ground, and made use of a great many ceremonies at their funerals. Those amongst them, however, who were evil-doers were denied these ceremonies, for the Prophet Jeremiah says of the wicked son of Josiah, king of Judah, "that he shall be buried with the burial of an ass, drawn and cast forth beyond the gates of Jerusalem."

Among the Jews it was customary for every one, on returning from the funeral, to pluck up grass, saying, "they shall flourish like the grass of the earth." They were in the habit also of hiring mourning women, who, as they went to the grave, made use of violent lamentations. Hence we read in the same prophecies of Jeremiah, "Thus saith the Lord of Hosts: Consider ye, and call for the mourning women, that they may come, and send for cunning women, that they may come; and let them make haste, and take up a wailing for us, that our eyes may run down with tears, and our eyelids gush out with waters."

This was a sort of taunt or reproach to the Jews, for their superstitious ceremonies at the burial of the dead, when they used to hire these women to mourn and lament with feigned tears and lamentations. There will be no occasion, saith the prophet, to send for them, for ye shall indeed have cause enough for grief.

Had the innkeepers on the Bathurst Road been

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of the Roman Catholic, or Church of England persuasion, they must have carried their dead bodies about fifty miles before they came to any consecrated ground; whereas, under the beautiful simplicity and economy of the Scotch system, they had to carry them only about as many yards. The Scotch, moreover, do not engage priests to read prayers over the dead, and call out "dust to dust," as they have somehow or other formed the notion, that dust is very apt to mix with kindred dust of its own accord. Hence that wise, economical nation, who never for one moment lose sight of the main chance, are saved the expense of the clergyman's fee for reading the funeral service; and while they are well aware that these ceremonies can do no good to the dead, they consider it extremely doubtful if they are of much use to the living.

As a proof of the slight impression which funeral ceremonies make upon the living, I may mention that, at the funerals of the great in Sydney, who chiefly belong to the Church of England, though they proceed, of course, at a slow pace to the grave, and hear there the sublime funeral service of that church, yet the moment the ceremony is over, they start at full gallop,—hearse and mourning coaches, gigs, chariots and horsemen, all helter-skelter, as if a wild boar were at their heels; so that a stranger meeting them in their flight would be apt to suppose

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that they had been attending a race instead of a funeral.

At one part of the Bathurst Road I came upon what is called, in that country, an ironed or chain gang working upon the roads, and I cannot give you a better idea of one of these gangs than that which occurs in the following extract of a letter written by a convict transported from London some years ago:—

"As a prisoner myself (says the writer) I may justly be charged with partiality, but you must judge for yourself from a statement of facts. The discipline of this colony has become dreadfully severe; every year has increased its severity since I have been here. Disobedience or insolence is fifty lashes, first offence; second offence, seventy-five or a hundred lashes; a third offence, twelve months in an iron-gang. Absconding, or taking the bush, as we term it, is fifty lashes, first offence; second time, twelve months to an iron-gang, and increased each offence.

"Nothing is more dreaded by the men than iron-gangs, as, when their sentence is expired, they have all the time spent in irons to serve again, as every sentence is now in addition to the original sentence. If a man is nearly due for his ticket of leave, and is flogged, he is put back for a certain time, unless for theft, and then he forfeits every indulgence. If an iron-

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gangman has served any number of years in the country, he must begin again: he is the same as a new hand; he has to wait the whole term of years before he receives any indulgence. Now, to judge properly of the punishment I have mentioned, you may ask—What is the punishment adopted in iron-gangs? It is this. The delinquents are employed in forming new roads, by cutting through mountains, blasting rocks, cutting the trees up by the roots, felling and burning off. They are attended by a military guard, night and day, to prevent escape, wear irons on both legs, and at night are locked up in small wooden houses, containing about a dozen sleeping places; escape is impossible; otherwise they live in huts surrounded by high palings, called stockades; they are never allowed after labour to come without the stockade, under the penalty of being shot; so complete is the confinement, that not half-a-dozen have escaped within the last two or three years; they labour from one hour after sunrise until eleven o'clock, then two hours to dinner, and work until night—no supper. The triangles are constantly at hand to tie up any man neglecting work, or insolent. Ration, five pounds of second flour, seven pounds of maize or barley meal, made into bread, seven pounds of beef, seven ounces of sugar per week; all cooked *per diem* by men appointed from gangs not in irons.

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Iron-gangmen not allowed to be hut-keepers, cooks, or other occupations, as such is considered an indulgence; nothing but hard labour. Picture to yourself this hot climate, the labour, and the ration, and judge for yourself if there is laxity of discipline. It is to places such as I have described that the judges now sentence men from the English bar. Poor wretches! did they know their fate, be assured, respected sir, it had been well for them that they had never been born."

The writer of this letter has fallen into a slight mistake in stating that escape is impossible. Had he used the word difficult it would have been more correct, as the greatest number of the bushrangers are those who have escaped from ironed-gangs. He is perfectly correct, however, in describing the horror which the prisoners have of an ironed gang; and so desperate do they become, that it is necessary to have a soldier for every twenty or thirty men, who attends them at their work with loaded muskets, ready to fire upon them if they attempt to escape, and many have been shot in making the attempt. Most of the stone quarries around Sydney are worked with iron-gangs; a guard of soldiers being stationed all round the quarry.

Though no one is allowed to give any of the men in an ironed gang any thing, and though they are liable to be punished for even asking it,

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yet I never passed through one without some of them whispering to me *en passant*, to give them a little tobacco, or a few coppers to buy some, and many a penny have I bestowed upon them, as I generally found them remarkably civil; and their love for tobacco is very great. The quantity of work done by an ironed gang is just about the one-half of what would be done by free labourers, which shows the unprofitableness of compulsory labour.

The Bathurst road, though much frequented at one time by bushrangers, is now a safe road, as they have got mounted police stations the whole way. I asked the driver of the mail gig, on the road down to Sydney, if he had ever been attacked by them, and he said twice. On one of these occasions, in addition to the mail gig, there were eight or ten bullock-teams baled up by three mounted bushrangers. Being baled up is the colonial phrase for those who are attacked, who are afterwards all put together, and guarded by one of the party of the bushrangers when the others are plundering. In compliment to his official situation as driver of her Majesty's mail, the bushrangers made him the steward upon that occasion, and he distributed among the bullock-drivers the brandy, porter and ale, which were handed to them by the bushrangers from the different drays. After they had taken the few things they wanted, they politely wished

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them good-morning, when all proceeded on their way rejoicing, being almost all drunk. On pointing out to me the spot where this happened, the day being very warm, the driver said he would not care much though he were attacked again under such favourable circumstances. Governor Macquarie was very severe upon bushrangers who attacked drays, as it put the settlers in the bush to so much inconvenience, when they were deprived of their annual supplies from Sydney; the teams that carried their wool down, generally returning loaded with supplies for the whole season.

In regard to the different governors who have been appointed to administer the affairs of that country, I shall pass over them all till we come to the reign of Major-General Lachlan Macquarie, merely remarking, that under the governorship of Captain King, R.N., the third governor of New South Wales, which lasted from the year 1800 to 1806, it was a common saying, "that the colony then consisted chiefly of those who sold rum and those who drank it." It deserves also to be recorded, that, in 1796, during Governor Hunter's reign, a cow cost £80, and a sheep from the Cape of Good Hope £7, so that mutton was then selling at 2s. the pound, in place of twopence, as at present. It was during that same year that several families of free emigrants were first conveyed to the

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colony at the public expense, where they had grants of land assigned to them, and free rations allowed from the Government stores for eighteen months. In Governor Bligh's time, after the great flood in the Hawkesbury in 1826, flour was sold in Sydney at the enormous rate of 2s. 6d. the pound.

Governor Macquarie was more like a king than any thing else, his power being almost absolute. He granted not only conditional but absolute pardons,—a power now vested in the Crown alone. During his reign he granted 366 free, and 1365 conditional pardons; besides 2319 tickets of leave. He occasionally read over the evidence in important trials, and gave the warrant for executions according to his views of the offence. He erected barracks—jails—hospitals—built bridges, and made roads. In fact, almost all the public buildings in that country have an inscription upon them, stating that they were erected during the governorship of Lachlan Macquarie. He was in general very much liked, particularly by the prisoners and emancipists, though some of the free wealthy settlers thought that he favoured too much the convict population, and never could get fairly over an expression he had inadvertently used, viz.—"that there were but two classes of individuals in that country, viz., those who had been transported and those who ought to have been." His maxim was, that no retrospect should in any

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case be had to a man's having been a convict; and however loudly the remission of sentences may be condemned, it can be shewn that the wealth and intelligence of the colony principally centre in the remnant of the men, or their descendants, who were liberated by that humane and excellent governor. This may be attributed, perhaps, in some measure also, to the circumstance of the emancipist for the most part regarding the colony as his home, while the emigrant generally views it as his speculative field, from which he contemplates returning to his native country, so soon as fortune crowns his commercial or agricultural pursuits.

Governor Macquarie has been somewhat blamed by certain authors for having spent so much money in public buildings, and the formation of roads, &c., but I am inclined to think that these have accelerated the progress of the colony at least a century. But those who blame him for his profusion, do not advert to the position in which he found himself placed. For the last twenty years, no doubt, when the free settlers have become both numerous and wealthy, almost double the number of men might probably have been assigned if they had had them; but in Macquarie's time it was quite the reverse. That distinguished governor, accordingly, in a letter addressed by him to Earl Bathurst, writes thus—"The convicts on their arrival are distributed amongst

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such settlers as require them, without favour or partiality, the Government only retaining such useful mechanics and proportion of labourers as are required for carrying on the public works; but the influx of male convicts for the last five years has been so great, and so very far exceeding that of former years, that the settlers had not employment for above one-eighth of the number that annually arrived in the colony, the remaining seven-eighths being left to be maintained and employed by Government. Hence it became necessary to employ this large surplus of men in some useful manner, so that their labour might in some degree cover the expense of their feeding and clothing." Nothing can well be imagined more satisfactory than this, and the consequence was, that owing to the vast resources which that enterprising governor had at his command, and which no other governor since could possibly have had, unless by withdrawing the convicts from the free settlers, and owing also to the judicious manner in which they were employed, that colony attained, in a short time, to a degree of prosperity perhaps unequalled in the history of the world.

His name is still remembered with affection, and will be transmitted through distant ages, from the number of places called after him. There is the county of Macquarie—the town of Macquarie—the river Macquarie—mount Mac-

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quarie—Macquarie plains—lake Macquarie and Port Macquarie, so that one would suppose that they had landed in a Macquarie country altogether. He assumed the reins of government on the 1st of January 1810, and abdicated the throne on the 1st of December 1821, so that all the days of his reign were eleven years and eleven months. Governor Macquarie died in Scotland in 1824.

Major General Sir Thomas Macdougall Brisbane, who succeeded him, only reigned four years. Though much beloved by all, he was accused of being perhaps rather too easy a man, leaving too much to be done by others, and not devoting so much of his time to the duties of his office as so extensive a country, and so awkward a population demanded. His favourite study was astronomy; and he spent so much of his time in the observatory in the Government domain at Parramatta, looking at the things above, that the people there were actually afraid at one time that he would lose sight of the things below altogether. He was so remarkably humane that the executioner at one time threatened to give up his situation, as he declared that it had become almost a sinecure, and only kept it on from the hopes of better times.

General Sir Ralph Darling, his successor, endeavoured to make some little reparation to that conscientious officer, the executioner, for

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the injury he had sustained during the governorship of Sir Thomas Brisbane; as during a great part of his reign there were nearly fifty executions annually, and during the year 1829, in particular, there were no less than fifty-two. There are some who think, (and his Excellency may have been amongst the number,) that Draco of Athens was not very far wrong when he made every offence capital, upon this simple mode of reasoning, that the smallest crimes deserved death, and that he knew of nothing worse for the greatest. General Darling was accused of being perhaps rather too strict a disciplinarian, though some allowance must be made for him, from the untoward circumstances under which he was placed, as bushranging prevailed during his reign to an extent that it never did before, and has never done since. By some, however, this has been attributed to the severe discipline which he enforced. In the letter to Lord Stanley, formerly referred to, the writer says:—"In the time of General Darling, what caused the murders of Donohoe—the plunderings of Walmesley and Webber—and the Bathurst rising, but an overweening severity of discipline, and an inadequate sufficiency of food."

With an ardent desire to benefit the colony, he was also very exemplary in providing for a number of friends and poor relations, by getting them grants of land, &c., and seems to have

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constantly kept in view the awful denunciation in the Scriptures, "that he that provideth not for his own household is worse than an infidel." Though, therefore, popular among a few of his favourites by means of his liberal grants of land, extending to 250,000 acres, yet with the majority of the people in that country he was decidedly unpopular. Mr Wentworth, the great barrister, roasted an ox entire on the occasion of his departure, and bands of music paraded through the streets of Sydney, all rejoicing at that event. I believe, however, that many things were laid to his charge of which he was innocent; and from my own experience of mankind, I have almost always remarked that those who are good are made better than they deserve, and those who are bad infinitely worse.

Sir Richard Bourke, who next assumed the reins of government, was extremely popular amongst almost all ranks, but particularly among the middling classes—the emancipist and the prison population. There were indeed a few of the old aristocratic rich free settlers, who accused him of relaxing too much the convict discipline, and shewing too great a leniency to the prisoners, but this was a false accusation. Among others who have heaped abuse on this amiable governor, in no measured terms, is James Mudie, Esq. of Castle Forbes in that country, in a work which he published in 1837, entitled "The Felony of

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New South Wales," which contains a mass of exaggerated and irrelevant matter, such as I have seldom if ever read before. He was certainly a man that scorned oppression of any kind, but he was remarkably conscientious in endeavouring to do justice to all; and whatever he considered right he carried into effect boldly and fearlessly, disregarding equally threats and flattery. He was so much beloved, indeed, and his character for the conscientious discharge of his duty is still held in such veneration, that I have seen tears come to the eyes of many of the people in that country, whenever his name was pronounced. They collected several thousand pounds for a monument to him, which was on the eve of being erected when I left Sydney, and he will be the first governor to whom that honour has been paid. He returned home by way of Chili, on the west coast of South America, and his fame had gone before him, as, when he landed at Valparaiso in that country, the authorities there turned out to pay him every respect in their power.

Sir George Gipps, his successor, from the short interview which I had with him, seemed to be very polite and agreeable, a quality said to be rare, because most men think more of what they have to advance, than of what they have to answer—the great perfection of conversation being to hear patiently and attentively and answer

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precisely. He was very active, and remarkably attentive to the duties of his office. His speeches when in the legislative council, before the present system commenced, displayed a great deal of good common sense, which Lord Hermond, one of our Scotch Judges, used to say was better than all the law in the world. Sir George was somewhat blamed, both by Lord John Russell, and Sir Robert Peel, in regard to the debenture bill; but he was almost concussed into the support of that measure, by the numerous landed and stock proprietors in that country, who became alarmed at the deterioration of their property, from the want of labourers, after transportation and assignment had ceased. Sir George was recalled in 1846, and is succeeded by the present governor, Sir Charles Fitzroy.

I have thus attempted to give you a rapid sketch of the characters of the more distinguished individuals who have been governors of that country, a task, both of great difficulty and extreme delicacy. Lord Bacon says, "if you wish to find out a man's good qualities, ask his friends—if his bad, ask his enemies—and if his general habits, ask his domestics;" and it was in some measure, from adopting, as far as possible, these views, that I prepared the above hurried sketch.

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CHAPTER IV.

The Aborigines—Their Manners and Customs—Enormous Appetites—Mode of Warfare—Plurality of Wives—Infanticide—Cannibal Propensities—Liverpool Plains Massacre—Their Attacks upon the Settlers—Banishment to Norfolk Island—Description of that Island.

THE aborigines of that country, who are supposed not to exceed in numbers 200,000, for the whole of Australia, are universally allowed to be the lowest race of savages in the known world, though I observe that Captain Grey, the late governor of South Australia, and the present governor of New Zealand, in his able work on Western Australia disputes this. Some attribute this to their ancient mode of warfare, as, when they had a tilting match, those with the thickest skulls held out the longest, and were thus left to continue the race; and the opinion prevails among philosophers, that the skull supplants part of the brain, so that, when a person is accused of want of intellect, he is said to be thick-skulled.

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The skulls of the Australian savages are nearly double the thickness of ours, and this is a wonderful advantage, as a blow that would finish us entirely, rebounds from their heads as from a rock. As to want of intellect, that is no great drawback in a savage state, provided they retain the sense of smell, and that seems with them to be sufficiently acute, as they smelt the grand dinner which Mr Robinson, their chief protector, provided for them at Port Phillip, a hundred miles off, and they have also the faculty of perseverance, as they continued eating at it for several hours, till they had almost all to lie down at last like so many swine.

A large appetite, indeed, may be considered one of the characteristics of savage life.

The Rev. David Mackenzie, in his excellent work, published in London in 1845, entitled "The Emigrants' Guide, or ten years' practical experience in Australia," mentions, (page 215) having given two black fellows a yearling wether which had been smothered, and weighing about forty pounds. "After having skinned it," he says "they threw it on a large fire, where it was left till half-roasted, when they sat down and continued eating until a late hour of the night. They slept by the fireside, got up, according to their usual habit when they have plenty of food, two or three times during the night, to resume the business of eating, and by noon

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next day, or within twenty-four hours, those two men ate the whole of the forty pounds of mutton! The result was, that for the ensuing twenty-four hours they would do nothing for me, but lay rolling themselves on the ground, heavily groaning in pain."

The tribes are distinguished from each other, by the direction of the incisions which they make on their breasts and arms; but the fishing tribes have a fleshy protuberance on the wrist, to which they are often found referring, to prevent their being confounded with other natives. They change their place of abode very often, sometimes from necessity, and sometimes from superstition or caprice. Their hut, when complete, assumes the form of a bee-hive cut asunder in the middle, and is from three to four feet in width, and six in diameter; the floor being covered with a piece of bark, upon which they lie down, in the only position which the shape of the hut will allow of, namely, with the body bent into a semicircle. One family only occupies such a hut; in the front of which a fire is always kept up for warmth, light and cooking. Skins, and sometimes blankets, serve for their covering at night; but in want of those they keep themselves warm, if necessary, by lying close together. Spears, shields, nets, water-utensils, and bags, called dillies, made from a kind of long stringy grass, are generally hung up on branches of trees around

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the hut, or, like the *waddies* and *womerams*, deposited in it; but their most formidable weapon —a stone knife or blade of steel, carried about in the girdle, or in a small *dilly* under the arm— is scarcely ever laid aside.

They derive their food both from the animal and vegetable kingdoms; eating opossums, kangaroos, snakes, lizards, and even worms, with the roots of two plants called the Bangwall and Imboon, and they just regulate their appetite by the scarcity or abundance of food at hand, and they have no fixed time for eating, hunger alone regulating their diets also. But however plentiful their repast may be, and however great the supply, no provision is made for the next day: what they are not able to eat is given away to such as have not been so fortunate in their exertions. Should any of the tribes on the sea-coast have been so fortunate as to catch a sea-hog — called *youngun* — which sometimes is of the size of a young bullock, intelligence of the event is immediately sent along the coast to invite the neighbouring tribes to the banquet; this lasts, between incessant eating and sleeping, when quite gorged, two or three days, until the whole animal is consumed; their gluttony then obliges them to change their place of encampment, and sometimes oftener than once, as their olfactory nerves seem to be

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very sensitive, notwithstanding their voracious appetites.

As they are only the children of chance, they have plenty of food at one time, and grow quite fat upon it, while at other times they are half starving.

Mr Mackenzie remarks upon this head:— "The blacks seldom make any provision for the future, but literally act on the principle that "sufficient for the day is the evil thereof." A friend of mine gave some cuts of potatoes for seed to a black fellow, which he was induced to plant, on his being assured that after a short time these few cuttings would produce a large quantity of potatoes. Two days afterwards, the black fellow returned to my friend, to complain that the young potatoes did 'not yet jump up.' He then, holding up two fingers, asked if it would yet be so many days before the young potatoes should 'jump up;' and on my friend admitting to him that it might be as many days as there were fingers to both his hands, he immediately went away, dug up all the cuttings of the potatoes, and ate them, saying that 'white fellow is all gammon.'"

At certain seasons the different tribes challenge each other to battle, of which they are eagerly fond, and on these occasions they contrive to be dressed, or rather decorated, in their best style, covering themselves all over with

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grease, red ochre, and parrots' feathers. Their weapons are the *spear*, which for battle is made very long; the *club*, or waddie, which is generally round, but often carved out into sharp edges; and the *womeram*, or throwing stick, which is used for throwing the spear, and acts somewhat on the principle of a sling. With these weapons the natives invest their young men at the age of fourteen, who then for the first time enjoy the privilege of taking an active part in the fight. These fights are, generally speaking, not fatal; it is evident they are rather of the nature of sports than real fights, although blood may occasionally flow, and the parties profess great enmity. They fight man to man, one or two dozen at a time on either side; each having two or three spears, and endeavouring to throw one of them at his antagonist, which the latter of course is anxious to evade, by springing from the ground. When the spear has fallen to the ground, he takes it up and throws it back at his adversary. The greatest interest is shown on such occasions on both sides, by old men, women and children; and if the spears fall at some distance from the scene of action, the women will pick them up to hand them to the combatants, whom they likewise endeavour to excite to greater efforts by singing warlike songs. To mourn over such as have fallen is chiefly the business of old women and

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near relations. The womerams are most dangerous in these fights, as they are thrown with great force at random, where the enemy is in the densest mass. When the combatants are tired they retreat, and others take their place; but as soon as either party turn their backs the throwing of spears terminates. After two or three hours have been spent in this way, hunger obliges them to look out for something to eat, and they disperse.

The women of the aborigines are in a state of the most deplorable slavery; they have no other idea themselves but that they are destined to subserve the passions of the men, and at one time or other perhaps to meet an untimely death at their hand. The smallness of their number is often a source of strife; for although they are sometimes wedded by a sort of courtship, it is the general practice of the men to steal them, and to conceal themselves for a season with their prize. This is particularly the case when comparatively old men have young women as their wives; for in such cases young men will say, "This fellow is too old to have a young wife; it ought to be our turn to possess such a treasure."

Polygamy, which Moses never approved of, but merely connived at, is not only permitted but practised amongst them to a great extent. The Rev. Mr Mackenzie says on this subject,—

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"I know several black fellows who have each of them a number of wives. A strong and rather handsome fellow, named Yarry, who frequently assisted me at sheep washing, has generally half-a-dozen wives, and like Henry the Eighth, he is continually changing them, having, within my own recollection, divorced four or five of them in order to make room for an equal number of younger and prettier girls." Mr Mackenzie mentions that complaints were often made to him of Yarry's greediness, but that, owing to the scarcity of women, (seldom above one female to two males,) Yarry's castaway wives were readily picked up by young men who had no wives at all.

Stealing, or the forcible abduction of a wife, however, is generally punished with death; and if the woman be not returned within a certain period, either the seducer or one of his relations is almost sure eventually to be slain, as, amongst all savages, when the principal cannot be caught his relations are considered as implicated in his guilt, and have to suffer accordingly. Wars among the different tribes frequently arise from this cause.

Blows are the lot of the women at any time on the slightest provocation, and these are not calculated to improve their temper. Some of them, indeed, appear to have mild dispositions, but others are very ill-natured, even towards the

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whites. Though they are, in general, very fond of their offspring, and almost inconsolable when they die, yet those amongst their children who are deformed, or of the squalling species, they are very apt to put to death, as they have a great dislike to squalling or sickly children.

In a small work, entitled "Life in the Bush," written by a lady who resided three years in New South Wales, she says, (p. 14) "I seldom ever heard a black baby cry, and, when it does so, the mother has very little patience with it, but gives it a good blow with her elbow to make it quiet. When a black woman has a second child before the first can run about and take care of itself, it is said they eat the second one. I have been told this several times, but am not certain if it is really the case, it is so very unnatural; but it is well known that they are cannibals, and I know they will not submit to any thing that troubles them." "The want of affection" Mr Mackenzie states, "is beyond all doubt a frequent cause of infanticide. A black woman, who was seen committing this act, by knocking her child's brains out against a tree, was once pointed out to me; and on my asking her why she had committed such a crime, she quickly and coolly replied, 'Pickanniny too much cry.'"

In corroboration of the statement that they are cannibals, made by the lady who wrote the "Life in the Bush," Mr Mackenzie, at page

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234, adds the following testimony to the same effect :—

" It is a well ascertained fact, not only that they are cannibals, but that they very frequently eat the bodies of those taken in war. A respectable gentleman, named Morrice, residing on the Hume River, came lately on a party of fifty or sixty blacks while in the very act of roasting pieces of human flesh. He saw some parts of the same carcass in the camp, which were no doubt reserved for a future repast, and he was given to understand that it was the body of a female from a neighbouring tribe, whom they had just killed.

" A stout black fellow, named Paddy, who frequently lives with me, has been a great warrior in his time, and committed several murders. When lately describing to me one of the last murders (that of a black boy, about twelve years of age) in which he was concerned, he stated that this boy, who belonged to a neighbouring tribe that had caused the death of some one in Paddy's tribe, was employed by a squatter up the Hume River, where he (Paddy) and three more watched him for some days, until at last they found him on horseback looking after cattle, when all four rushed on him, pulled him off the horse, cut him up with their tomahawks, roasted and ate him. Old Paddy, licking his lips, added it was " *Cabon budgery patter like it Emu,*" and that, if I wished

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it, he would bring me a piece of the next. For more reasons than one I declined, however, this generous offer."

Whether the physical or the moral condition of these children of the forest is considered, the picture they present is one of gross darkness and misery. Their God is their belly: their will, or rather their passions, are their law, as long as they are able, through violence and cruelty, to maintain their point; and the testimony of Scripture, that the "dark places of the earth are full of the habitations of cruelty" finds in their case an awful verification. There is no man who appears to exercise any authority over them; and their obedience to the laws of Britain extends only so far as they see a necessity for submission, from their dread of superior power. It is difficult to say what their own idea either is or was of a Supreme Being, as they have for upwards of fifty years past been in contact with Europeans; at all events they have learned to swear by that God of whom they are ignorant, as a God of truth and mercy. Certain it is that they believe in the immortality of the soul, and the existence of evil spirits. Of thunder and lightning they are exceedingly afraid; they will on no account pronounce the name of one that is dead, and they seem to hold that after death they will be like the whites, and that all white men have been black fellows before, who, in such

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ıtered guise, revisit the world after death. Since ney have heard of England they imagine that it ıs the place of their regeneration or metamorphosis. They believe that the moon is a man and the sun a woman, who dwelt for some time upon the earth and were married there, but being fond of travelling they had left the earth, and landed accidentally in heaven.

You will discover in this account of the aborigines of that country, that some of their customs are very singular. In dressing, or rather decorating themselves in their best style when they go to battle, they resemble Lord Nelson, who always appeared in full dress on the day of battle; and if people in this country are apt to put on their best dress on all important occasions, even for a silly dance, surely a battle must be viewed in that light. The circumstance of only a small portion of their numbers engaging at once is a great advantage, as it allows the others to get a rest, and our soldiers at Waterloo, who fought for fifteen hours, would have considered a rest a very desirable thing. In allowing the vanquished party to retire without molesting them the moment they sound a retreat, they seem to act in a most gentlemanly manner, and with great consideration and humanity; and in not fighting above two or three hours at a time they show a great deal of common sense, as both parties then retire to partake of a much more

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palatable thing than a battle, namely, a good dinner.

The aborigines at Moreton Bay, about 500 miles from Sydney, have had a German mission settled among them for some years, who, though very zealous in the cause, have not been very successful. The missionaries finding, on their arrival, the older people extremely ignorant, proposed that they should attend school as well as the children. This they consented to do, provided they were paid for it, as they considered learning lessons fully as laborious an occupation as digging the missionaries' gardens—and some of them were paid accordingly. If the people of this country were to be paid for attending school, I fear they would be apt to attend it all their lives.

I observe that the Messrs Chambers in their last small work on Australia, contained in what they call "Information for the People," state that the aborigines are becoming quite peaceable and inoffensive. Though this may be true in regard to those within two or three hundred miles of Sydney, yet it is by no means the case in the distant settlements. Indeed at the Moreton Bay district, in particular, the aborigines and the whites may be said to be almost at constant warfare, in consequence of the former stealing and destroying their sheep, and mur-

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dering the shepherds when they have an opportunity.

They have taken a singular and most unfortunate notion into their heads, namely, that the whites were sent amongst them for a particular purpose, and only for a certain time; which time being now expired, that it is their duty to get quit of them the best way they can.

Some endeavour to extenuate their atrocities, alleging that it is only in retaliation for the injuries they have received at the hands of the whites; and, no doubt, a good deal may be said on their behalf on this point, as I met in that country with several, even humane gentlemen, from certain districts in the bush, who told me that they often found it necessary to shoot them like native dogs, otherwise their sheep would be either killed or driven away, and they themselves perhaps massacred besides.

It must be admitted, indeed, that the hands of the colonists have been too often stained with the blood of the unfortunate natives, under various degrees of provocation, and occasionally with heartless cruelty. What is called in that country the "Liverpool Plains massacre," is perhaps the most memorable instance of this on record. The particulars of this horrid tragedy are as follow:—"In June 1838, in consequence of several cattle being speared, and some white men murdered by the blacks, a party of stock-

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men on horseback, armed, some with pistols, some with swords, and some with muskets, surrounded, at a place called the Big River, a hut in which a tribe of blacks, on friendly terms with the inmates, had taken refuge on observing this armed body approach. The victims were fastened to each other by the wrists, and then bound, men and women, with helpless infants on their backs, to a rope which one of the armed horsemen had brought; none being omitted except three, a man and a woman, who were saved without any reason being assigned; and a third, a girl, who was spared because she was good-looking. Bound in this manner, and surrounded by the armed horsemen, the blacks were conducted from the hut in the direction of the bush. On passing along the bank of a deep dry creek, two little black boys, who had not been properly secured, effected their escape, by plunging down the steep bank of the creek where the horsemen could not follow them. The cavalcade thus moved out of sight of the hut a distance of about half a mile: some shots were then heard, and afterwards it was found that twenty-eight blacks —men, women, and children—had been here butchered, some with pistols and some with swords. The heads were found, in several instances, to have been severed from the bodies. The remains were gathered together, and partially burned in a large fire made of logwood.

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The space occupied by the fire measured fourteen yards in circumference; the place was literally strewed with human remains, among which were the heads of from ten to twelve children, most of them partially burnt. Three of the heads had not been burnt at all, the hair being merely singed. Native dogs, and hundreds of birds of prey, were gathered round the spot. All the men concerned in this horrid murder had been convicts. Six months afterwards, viz. on the 18th December 1838, *seven* of these men were hanged in Sydney."

Mr Mackenzie says, (p. 237,) "I happened to be living within a few miles of the scene of the Liverpool Plains tragedy, when these seven men, the chief actors in it, were hanged. The excitement then, among whites and blacks, was very great. They lived in constant dread of each other. It was to me a strange spectacle to see two shepherds, both mounted and well armed, go out every morning after one flock of sheep, consisting of double or triple its wonted number. In one flock were 2400 sheep, in another 1800. I found some of my own cattle speared by the blacks, and lying dead within half-a-mile of the hut. It was evident that it was not want of food which led the aborigines to commit such acts; for, with the exception of a little of the kidney fat, no part of the carcasses was cut off, though the cattle were very fat. A

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few days afterwards, I accompanied Mr Mayne, the district commissioner, to a spot where a tribe of blacks had camped, and where we found upwards of 500 young ewes dead, all in one heap. They had been surrounded and speared by the blacks. The shepherds had a narrow escape. One of them had a spear driven through his hat—the spear had slightly grazed the crown of his head. The sheep belonged to a Mr Cobb, two of whose men had been previously murdered by the blacks. One of these two men was murdered in the bush, and the other was speared near his own door, when running for his life to get inside the house. The body of the man who was murdered in the bush (woods) they cut up in pieces and roasted. At Mr George Bowman's cattle station here, the blacks were very kindly treated; but the only return made by them for this kindness was, to murder two of his men, and spear numbers of his cattle. At the same time (1838) that these murders were committed on the Gwyder and Big Rivers, a party of eight men, belonging to a Mr W. P. Faithful, travelling with sheep, and drays loaded with provisions to Port Phillip, were surrounded, attacked, and all—except one—murdered by a body of three hundred blacks, at a place called the "Winding Swamp," between the Ovens and Broken Rivers. From the evidence of the only white man who effected his escape out of

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this party of eight men, it appears that no provocation whatever was given to the savages, and that plunder alone led them to commit this massacre. The only opposition made to them by Faithful's men was, taking from one of the blacks a lamb which he had killed and concealed under his cloak."

It is difficult to arrive at any accurate conclusion as to which of the parties were the first aggressors; but in all the remote districts of that country they are still so very troublesome, that the universal opinion of the people there is, that the sooner they are extirpated the better, as all attempts to reclaim them and make them give up their wandering, plundering habits, have proved abortive. There is evidently a charm in savage life which it is difficult, perhaps impossible for a European to appreciate. Bennilong, who was brought to England, after ten years' enjoyment of European comforts and refinements, cast away his fine clothes the moment he returned to Sydney, and then, naked, joined his old companions in the wilds of Australia.

I shall here insert one or two additional instances of their outrages. The following is from a Port Phillip paper in 1841:—

"ENCOUNTER WITH THE NATIVES.—It will be recollected that about three weeks ago the blacks took possession of the run of Mr Hunter, near Mount Napier, and drove away the servants at-

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tached to the establishment. On the arrival of the intelligence at Corio, two troopers of the Border Police, a corporal and a private, were immediately despatched with a warrant to capture the delinquents. They arrived at Mount Napier on Friday the 21st instant, where a number of blacks soon after made their appearance. Two stout and determined black fellows were observed to enter into one of the huts, and information having been immediately given to the policemen, they also entered the hut, and succeeded in handcuffing the blacks. The two savages then rolled and twisted on the ground, and one of them managed to slip the handcuff by which they were fastened together; he then seized a large axe, with which he struck one of the policemen a heavy blow on the head. The savage then seized the man by the hair, and was dragging him out of the hut, in order to get more room to handle his hatchet, when the corporal, in defence of his comrade, gave the black a severe cut across the right cheek with his sabre. The other black, in the meantime, had got hold of a spade, with which he struck the corporal on the head, and nearly fractured his skull. Both of the policemen having been stunned, the blacks managed to effect their escape."

In the same year, 1841, they murdered Mr Stapleton, one of the government surveyors,

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without any provocation whatever. That gentleman had been surveying some of the land in the vicinity of Moreton Bay, and they have a great aversion to a surveying party, as they know from experience that it is the forerunner to the whites taking possession of their land, and driving them from a spot which they consider their own. I met with Mr Stapleton's widow in Sydney shortly afterwards. They succeeded in capturing two of the ringleaders, who were brought to Sydney, tried, found guilty, and sentenced to be executed. I had occasion to see them twice, and two more muscular, ferocious looking savages I never saw. In order to strike terror into the tribes at Moreton Bay, they were sent there for execution. On the scaffold, both they and some of their tribe amongst the spectators pointed to the bush, intimating, that those who did the deed were still there. One of them wished the executioner to put the rope round his body instead of his neck, but this the executioner politely declined.

A fine young man of the name of Oliver from the county of Caithness, in Scotland, and a passenger in the vessel along with me coming home, told me that he had been for some months at the station of two young gentlemen of the name of Mackenzie, originally from the county of Ross, in Scotland, about 200 miles north from Moreton Bay, and that sixteen shepherds had been killed

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by the aborigines in that district within three months. Two of these were from Mr Mackenzie's station, and he assisted in carrying them home from the spot where they had been found murdered. He had met them at breakfast only a few hours before, and the blacks had stripped them of all their clothing, as, when found, they were quite naked. Ten fresh hands had arrived at that station shortly before he left it, but their terror was so great that not one of them could be prevailed upon to go into the bush. It was the last station but one in that direction, and the aborigines are always the most troublesome when on the outskirts of civilization. Though all the shepherds in remote stations carry firearms, yet the blacks are apt to say to them, we are many and you only one; when you fire, one of us may fall, but we kill you before you have time to fire again. The sooner, therefore, that providence calls them to another world the better, as they seem destined to do no good in this.

An idea is prevalent that they are a lank, slender, weak, emaciated race of men, without muscles or sinews, and without calves to their legs; and, though that description may apply to most of those to be seen in the neighbourhood of Sydney, (a most horrible race,) yet both in the extreme northern and southern parts of that country, they are as strong and robust a set of savages as one would wish to meet with, with

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the exception, perhaps, of their legs, which are generally thin and slender. When you happen to meet them in a hostile attitude, they are unlike the bushrangers, who seldom commit murder when they can avoid it; whereas the blacks give no quarter.

I shall just give one more instance of their depredations, taken from the Port Phillip Gazette of 16th January 1841:—

"THE BLACKS.—On Thursday afternoon an order was sent for the removal from jail of all the prisoners convicted at the last court of quarter sessions, on board the craft *Victoria*, for conveyance to the *Vesper*, bound for Sydney, and lying in the bay. These prisoners consisted of the nine natives who were sentenced to ten years' transportation, thirteen white men and one female, and they were placed under the escort of four soldiers and one constable. During the passage of the *Victoria* down the Yarra, when about three miles from the town, the natives suddenly sprung over the vessel, and made for the south side of the river. The military instantly discharged their muskets and shot two, who immediately sank, (two others in the reeds were fired at and disappeared,) and wounded another, the remainder making their escape. His honour the superintendent, upon being made acquainted with the circumstance, repaired to the police office, and *unassisted* and *unattended* by any one of the

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magistrates, proceeded to investigate the particulars of this escape, and to give the necessary directions for attempting a recapture. It appears that all the prisoners were in irons, but not handcuffed; and the white men were below, whilst the blacks were permitted to remain upon deck—rather a strange arrangement! A party of the military were despatched to scour the scrub upon the river banks, but their efforts have proved unsuccessful; and thus have been let loose upon the community a set of natives, desperate from the knowledge of their fate if retaken, and thirsting, doubtless, for revenge, not only upon account of their imprisonment and trial, but also for the sacrifice of the lives of their companions upon the occasion of their capture, will seek retribution according to their notions of justice, in the blood of the first Europeans who may lucklessly cross their path. A police enquiry took place yesterday morning at the Hall, before Messrs Simpson, Yaldwyn, Thorneloe, and Chief Protector Robinson, but no fresh facts were elicited."

I may mention, that since the settlement of the Port Phillip district, in 1836, about fifty whites have been killed by the blacks, and about 150 of the latter by the whites.

Banishment from Australia, for the natives and free persons, is now to Norfolk Island, if for the first offence; but doubly convicted felons,—

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that is, prisoners transported from this country convicted of new crimes there, are now all sent to Van Diemen's Land. Norfolk Island is a small island in the Pacific ocean, six miles long and four broad, situate about 900 miles from Sydney and 400 to the north of New Zealand. It was first discovered by Captain Cook in 1774, who found it inhabited only by birds, and it was he who named it Norfolk Island. It was settled by a colony of convicts from New South Wales in 1790, and has remained a penal colony ever since. Though excessively hot, it is very healthy, and there are some considerable valleys in it, which, when cleared of the timber, are very productive. The pine trees there are generally from 150 to 200 feet in height, and from 20 to 30 feet in circumference. The island, however, is rather mountainous, and Mount Pitt, to which the aquatic birds resort, is 1200 feet high. Captain Maconochie introduced among the prisoners of Norfolk Island a system of kind treatment—rewards for good behaviour, and innocent amusements after their labour was finished, which answered tolerably well with a few, though it proved ineffectual in reforming the majority, and he has been lately recalled. The three men who so barbarously murdered Mr Noble in his own house, in the very heart of Sydney in 1844, were three convict expirees from Norfolk Island.

Captain Maconochie considered them as the

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creatures of those unfavourable and pressing circumstances from which the majority of crimes originate; as labouring under a malady of the heart and mind, induced by ignorance, misery, and evil example, and consequently demanding for a cure a course of moral treatment of a peculiar and appropriate nature,—the end in view being to reform the character by cultivating the higher faculties.

Almost all the people in New South Wales seem to have a warm attachment to the land of their nativity, and would willingly return home if they could, though they feel averse to do so until they have secured what would make them, in some measure, independent when here. The distance to which they are removed, and the little chance, consequently, which most of them have of being ever able to leave the land of their exile, peradventure of their banishment, seems to enhance this feeling.

Sadly from home they turn'd away
To seek a distant clime,
When friends were kind and life was gay,
In boyhood's early time.
With fleeting years and seas between,
To one fond hope they clung,—
To see again as they had seen,
The land they lov'd when young.

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CHAPTER V.

History of Transportation—Report of House of Commons—Convict Discipline—Extent of Flagellation—Number of Executions—Scotch Convicts the worst—Cause of it—Tickets of Leave—Conditional and Absolute Pardons.

As the most important part of the history of New South Wales is connected with it as a penal settlement, I shall enter somewhat more fully upon that subject than most other authors have done. In the eyes of many, no doubt, a stigma has been long attached to it from that cause, and from that alone; but transportation to it having now ceased, that stigma will soon be removed, and leave no trace behind. We must never, however, forget that it was the systematic employment of forced labour during so many years which alone conduced to furnish them with those accommodations and facilities of communication without which the habits and intercourse of civi-

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lized life can hardly be maintained. The towns, the public buildings, the churches, the roads, the bridges, the mountain passes, the extent of cleared land, and the secure inclosures by which that country is distinguished above those which surround it, afford at least some compensation for the partial evils which a convict system may have occasioned, especially as those evils, by the abandonment of that system, are rapidly disappearing, while the advantages and comforts which have been derived from it will remain in perpetuity to the present inhabitants, or to any who may hereafter resort to the colony.

The 18th of Charles the Second was the first statute inflicting transportation, as before the restoration that punishment was unknown. Other statutes were afterwards enacted, allowing judges in their discretion to transport persons to our settlements in North America; and they were principally sent to Virginia. They were not, however, sent into perpetual slavery, but were bound by indentures for seven years, and received wages during the last three, as the means of providing a fund which might enable them, on returning to their native country, tó recommence life with some prospect of success.

As their numbers were small compared to those of the orderly and settled population amongst whom they were dispersed, they were easily constrained, by the united force of law and

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example, both to habits of industry and moral observances in their conduct, and thus part of the objects of their transportation was accomplished by the very nature of the circumstances in which they were placed.

Previous to the year 1840, New South Wales, Van Diemen's Land, Norfolk Island, and the Bermudas, were the four penal settlements of Great Britain. The Bermudas are a group of small islands in the Atlantic ocean, about 500 miles east of Carolina in the United States of America. They contain about ten thousand inhabitants, one-half of whom are blacks, and of the remainder two-thirds are women; so that the fair sex are not in such demand there as in New South Wales. They contain about 12,000 acres of land, of which 1000 only are under cultivation, though it is being gradually extended.

New South Wales, till it ceased to be a penal colony in 1840, had received for the five years previous about 3500 convicts annually; and, in 1836, the whole convict population of the colony amounted to 25,524 men and 2577 women. The average number of convicts sent to Van Diemen's Land during these years was 2078; and the convict population there amounted in 1835 to 16,968 persons, of whom 2054 were women.

Norfolk Island contained in 1837 about 1200 convicts, most of whom had been retransported from New South Wales or Van Diemen's Land,

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for offences committed in these countries; and the Bermudas contain nearly 1000 convicts. The whole number of convicts sent to New South Wales, from the first establishment of the colony in 1788 to 1840, when transportation ceased, was about 100,000.

Transportation to that colony was abolished in consequence of the recommendation of the Committee of the House of Commons, which had been appointed to inquire into the system in general, its efficiency as a punishment, its influence on the moral state of society, and how far it was capable of improvement.

The Committee reported that the greater part of the convicts were distributed among the free settlers as assigned servants, the remainder being in iron gangs, chiefly employed by Government in making roads, quarrying, &c., and that the condition of the latter was wretched in the extreme. That those assigned as servants were in general tolerably comfortable, though their condition was very uncertain, as it depended so much on the temper and disposition of the masters to whom they were assigned, or their overseers. That they were at the mercy of the most summary laws—the lash—imprisonment—and labour in iron gangs being the punishment inflicted by individual magistrates on their own responsibility. That in Van Diemen's Land the lashes amounted to about 50,000 annually,

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and that the convictions annually were nearly as numerous as the whole convict population. That in New South Wales the number of summary convictions in 1835 was 22,000, and the lashings frightful in amount; and that the punishments inflicted were not only extremely unequal, but remarkably severe.

But, while the pains of transportation were, in reality, thus severe, the effect of such severity, says the Committee, in rendering the threat of transportation a matter of fear to criminals and criminally disposed persons in the mother country, was entirely lost. The punishment was underrated and laughed at, chiefly in consequence of the exaggerated reports which had got abroad respecting the comforts, wealth, and success in life, which had fallen to the lot of various felons in the colonies. These cases were remembered, while the general mass of convict suffering was forgotten or unheard of. For this and other reasons, the Committee reported that the punishment of transportation had become almost entirely valueless, as regards its tendency to prevent the commission of crime in the parent land.

Having considered all these points at some length, the Committee considered themselves entitled to infer from the whole, "that the two main characteristics of transportation as a punishment, were, inefficiency in deterring from crime, and remarkable efficiency not in reforming, but

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in still further corrupting those who underwent its penalties; that these qualities were inherent in the system, which, therefore, was not susceptible of any satisfactory improvement; and, lastly, that there belonged to the system, extrinsically from its strange character as a punishment, the yet more curious and monstrous evil of calling into existence, and continually extending, societies, or the germs of nations most thoroughly depraved. The Committee, therefore, were of opinion that the present system of transportation should be ABOLISHED." Having stated that conclusion, the Report then proceeded shortly to consider the proper kind of punishment to be substituted for the other. Every individual witness out of the many competent and well-informed ones examined by the Committee, declared the free intercourse of the convicts with one another to be the main cause of the spread of crime and immorality. Even the mere collision on the voyage had been repeatedly known to convert a man who had committed a single offence in the moment of temptation, to a hardened, reckless reprobate. Keeping these evils in view, the Committee observed, that "the experience of all nations, and more particularly the inquiries which had been instituted of late years, appeared to establish the conclusion that some modification of the penitentiary system was best calculated to inspire terror, and to improve the moral cha-

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racter of an offender; and, as far as any inference could be drawn from a comparatively short experience, it appeared that these two main objects of punishment were most likely to be obtained by that form of the penitentiary system known as the *separate system* of America, which consisted in the incarceration of delinquents in separate cells, no one criminal having any access to or sight of another criminal during the whole period of confinement, but being well provided with work, and receiving the visits of secular and religious teachers, and other functionaries connected with the prison."

Such are the leading features of that Report, and you may believe that it was calculated to produce a great sensation in New South Wales, where it was generally considered extremely exaggerated, and a kind of caricature of the colony altogether. A petition, signed by almost every individual of respectability in that country, was accordingly presented to the Legislative Council there, soliciting them to inquire into the transportation and assignment system, with the view, no doubt, of counteracting the effects produced by the Report of the Committee of the House of Commons. Mr Richard Jones, a remarkably sensible member of the Legislative Council, seemed, however, to think that a commission of inquiry would do no good, as, doubtless, he said, the members of the Committee and the persons

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examined would all give themselves excellent characters; they would be all good masters, and would be like the negro, who, on arriving in England, went into a churchyard and read on the tombstones that they were all good fathers, good brothers, good sisters, and good everything. The *Sydney Herald*, the leading journal in that country, in noticing the different speeches made on that occasion, reprobated the attempt of some of the members of the Legislative Council to represent the evidence given before the Committee of the House of Commons as a mass of falsehood; and asserted, that though some of it was made up of idle gossip and irrelevant details, yet that they had read the Report, and maintained that the statements respecting the treatment and behaviour of the convict population were substantially correct.

At first sight, certainly, a person would be apt to wonder how one could exist at all in any sort of safety, either as regards person or property, in a country where there were 22,000 convictions in one year; where vice and immorality were said to be advancing at railway speed; and where most of the outcasts from a body of nearly thirty millions were congregated at one spot. But I can declare, so far as my own experience goes, that I considered myself fully as safe there, in every respect, as I do here. Amongst a population where every fourth or fifth person you

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meet, either is or *has* been a convict, one would be apt to suppose that crime formed the rule rather than the exception. Much importance, no doubt, has been attached by some to a statistical table, extracted from the works of a Danish author, in which the number of crimes is set down with reference to the amount of the population. This table is as follows :—

United States,	1	offender	in every	3500
Wales,	1	,,	,,	2320
Denmark,	1	,,	,,	1700
Sweden,	1	,,	,,	1500
Scotland,	1	,,	,,	1130
England,	1	,,	,,	740
Ireland,	1	,,	,,	490
New South Wales,	1	,,	,,	22

But though it appears from this, that in New South Wales there is one offender in every twenty-two of the population, while in the United States of America there is only one in every 3500 individuals, yet it must be kept in view, that the great mass of crime there proceeds from the convict population, and that amongst the free population the proportion is not perhaps much greater than in the parent country.

But there is a still more important circumstance to be borne in mind in reference to this, which is, that in that country there is a species

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of convictions peculiar to the tribunals of a penal colony, comprehending not only crimes of a serious nature, but also summary convictions before magistrates' courts—police courts, and petty sessions, for acts which would be nowhere recorded as crimes but in New South Wales, Van Diemen's Land, or other penal colonies. Thus a convict guilty of falsehood, of impertinence, of absenting himself from his service even for an hour, and many similar acts, for which no person in a free country is punishable, is liable there to a summary trial, followed of course by conviction and punishment.

M. De Tocqueville, in his admirable work on "Democracy in the United States of America," assigns as one powerful reason of crime being so rare there, that it so seldom escapes detection and punishment, because every one conceives himself interested in furnishing evidence of the act committed, and in arresting the delinquent. A criminal there is looked upon as the enemy of the human race, and the whole of mankind is against him; whereas, in New South Wales, owing to the original preponderance of the criminal population, the sympathies of the numerical majority of the inhabitants, particularly of the lower class, are still in favour of the criminals, whom they would rather screen from punishment than deliver over to justice. This may be considered, therefore, the natural result of the

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different circumstances attending the origin of the two communities, which, though claiming a common parentage, are directly opposed to each other in their elementary principles.

On the subject of the Report of the Committee of the House of Commons, the Lord Bishop of Australia observed in the Legislative Council, "If we were to ransack the stores of vice, it would be easy for us to collect tales in abundance of an indecent and scandalous character, but was this a just criterion to try the moral character of any country? Could the morality of England herself endure this sort of trial? He had recently taken up a handful of English newspapers, and they presented such a succession of acts of violence and atrocity—vice and fraud —murders—robberies, and all that was horrible, that if the same sort of evidence was carried on for a year or two, and the whole then printed together in one volume, like the evidence before the Transportation Committee, he very much doubted whether an impression might not be raised that England was the most corrupt country in the world."

There was nothing I admired so much in the character of Bishop Broughton, the present venerable Bishop of Australia, as his coming forward boldly and openly, to vindicate the country under his dominions, from the attacks to which it was constantly exposed; and these were

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so frequent, and from all parts of the world, that at one time he had little spare leisure for attending to any thing else. The resolution passed at a large meeting held in Dublin some years ago, when the Lord Mayor presided, created a feeling of great indignation among the respectable classes of the community in New South Wales. This resolution was to the effect, "that it was unjustifiable, in the opinion of that meeting, to induce intending emigrants to take up their abode in the midst of the vice and immorality that prevailed in penal colonies." When this resolution was taken notice of by the Legislative Council of New South Wales, it was alluded to as a specimen of the ignorance which prevailed, even amongst the higher classes, in the mother country, respecting the social character of the colony; and the Bishop vindicated the colony from this unjust aspersion in the following short but emphatic speech :—

"It would be useless," he said, "it would be ridiculous to enter into a refutation of this language among persons who really knew the state of the colony. He had never heard any thing more unfounded; and this he would say openly before the world. He knew not what evidence there was to authorise such a statement. He knew of no instance of either man or woman indulging openly in vice, who received the notice of any one whose notice was worth receiving;

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and persons of blemished character found themselves as much shunned, and as completely excluded, as they would have been from the most scrupulous of the societies of Great Britain." Long may Australia have such an able advocate.

Mr James Macarthur stated, in the debate that took place in the Legislative Council on the Report of the Committee of the House of Commons, and the petition presented in reference to it, that the convict population were becoming every day worse, that his assigned servants at one time would work without being constantly looked after, but now they could not be permitted out of his sight for any length of time, and that masters dared not now send them even to church, as, if they did, they were sure to return home drunk and riotous.

People at a distance on reading this statement would suppose that the churches there were as numerous as they are here; but the fact that at that time there were only thirty churches altogether, in a country nearly as large as all Europe, shews that Mr Macarthur's statement carried absurdity in the face of it. Indeed one may travel hundreds of miles in every direction in that country, without seeing the vestige of one. Besides publicans there are liable to be fined, and even to lose their license, if they supply Government men with drink, and though this may occasionally be done, yet it is not very likely that that

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respectable body of men would run the risk of being ruined for all the profit they could make at the hands of a few poor prisoners.

The late Sir John Jamison, a remarkably sensible member of the Council, said in direct opposition to Mr Macarthur's statement, that a great reformation had taken place in the habits of the colony, and that frequently men of trust and great respectability could be found among the convict population and emancipists.

Judge Burton, perhaps the most eminent and the most impartial judge who has ever been in the colony, in his address to the jury on 18th November 1835, quoted by Mr Macarthur in his able work on that country, bears his testimony to the same effect. That venerable judge, after lamenting the total want of religious instruction for all classes in that colony, and in particular for the convict population, there being then only thirty religious teachers for the whole of its scattered population, proceeds thus:— "He felt, however, bound to say, that masters were not sufficiently attentive to the morals of their men. Defective as our means of instruction might be, it had been proved before him that highly respectable persons near to a church, not only neglected to oblige them to attend it, but actually suffered them to spend the Lord's day amidst scenes of drunkenness and debauchery; and some masters even made it a day

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of labour, allowing their men some other day as an equivalent. It was in every man's power to set an example of moral conduct and observance of the Lord's day in his own person, and gather his family and servants together for divine worship, whether the church was near or distant, and they were not in a situation to blame others for want of moral instruction, so long as they did not avail themselves of such means as were within their own power."

A more complete death-blow to Mr Macarthur's statement than this, and one so generously furnished by himself, cannot well be imagined.

The great mistake that the Committee of the House of Commons seem to have fallen into, was in having examined almost exclusively the masters of the assigned servants, or those of exalted and official rank, and in not having adverted to the expediency of examining some of the prisoners themselves, whose sentences had expired, and who had returned from banishment. They would have judged from this whether, when the conduct of the servants was found to be frequently so bad, that of their masters was always unexceptionable. Mr Jameson, in his late excellent work on New Zealand, South Australia, and New South Wales, published by Smith, Elder and Co., London, says, in reference to this subject, " The obstacles to the moral

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amelioration of the assigned servants consisted, perhaps, as frequently in the cruel and vindictive caprice of the employer as in the unconquerable depravity of the convict. The tried efficacy of the assignment system, when the convicts were entrusted to the management of humane and rational individuals, cannot be denied, but as distinctions could not be made in practice between the man of judgment, and the capricious, vulgar-minded, taskmaster, under whose blighting tyranny the seeds of reformation, in the convict's breast, could never germinate; the expediency of withdrawing convicts from private service, and thereby making room for free emigrant labourers, becomes unquestionable."

In confirmation of the views so ably expressed by Mr Jameson, I may mention, that among numerous other humane individuals, Colonel Dumaresque had white-washed cottages for his government men, with gardens in front, and distributed prizes amongst those who kept them in the best order; and that divine service was performed every Sunday to those in his own establishment. The result of this enlightened benevolence, combined with firmness, was, that the men became sober, industrious and contented; and had the same system been more generally adopted throughout the colony, the Transportation Committee would have had much difficulty

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in collecting materials for the glowing and effective picture of crime which they have exhibited, to the astonishment and utter consternation of the whole of the moral world.

You will recollect that the Committee of the House of Commons reported, that the general mass of convict suffering was forgotten, or unheard of, amidst the exaggerated reports of the immense wealth which some of them had acquired, and that the punishments inflicted were not only unequal but extremely severe. Of this severity I shall now give a few striking details.

In order to have a correct impression of this subject, it will be necessary to understand, that in New South Wales the law has invested the justices of the peace with summary powers unknown to the laws of England, and has created a class of offences which are peculiar to the condition of a convict; such, for example, as disobedience, neglect, abusive language, and other acts of misconduct, which, in the case of free persons, are not regarded in the light of offences against the law at all. An individual magistrate is empowered by the laws of that country, and upon the simple oath of the complainant, without any other evidence, to punish any of these offences with twenty-five or fifty lashes, or to be worked on the tread-mill, or imprisoned and kept to hard labour for any time not exceeding

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two months, or solitary confinement for fourteen days.

In former times some of the magistrates were known to complain, that their own servants, who had been sentenced to receive fifty or a hundred lashes, had returned home with their backs scarcely touched; that they had known instances in which a bribe to the scourger had induced him to flog the culprit with his coat on, and, in short, that the punishment inflicted was so inefficacious as to cause their authority to be derided altogether.

Sir Richard Bourke caused an inquiry to be made into the truth of these allegations; and the following extracts from the reports of the punishments inflicted by magistrates, under the law then existing, and in reply to the circular letter addressed to them on 21st August 1833, will give you some idea of the severity of the law in that country, and will, no doubt, be considered a painful portrait of human suffering. The name of the ship in which the prisoner arrived is always put after his own name in that country.

"Adam Ballatine, *Captain Cook*, disobedience of orders in going to the hospital under pretence of sickness; a troublesome character, 25 lashes over the breech. This boy received 25 lashes on the 22d of July; he cried out *loudly* at every

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lash; the blood ran *freely* from fresh and old sores; he was *severely* punished."

"Edward Scandrake, *Mangles*, neglect of duty by feigning sickness, 25 lashes. He received 50 lashes last Monday week, but was never flogged before; his breech was sore from the last punishment; blood came at the first stroke; he screamed *dreadfully* at every lash; the blood running freely from the old wounds; he lost much blood; complained bitterly of the treatment at Carters' Barrack, and wished some one would examine into it: indeed all the Carters' boys invariably make the same complaint."

"Andrew M'Mahon, *Chapman*, drunk and disorderly, 50 lashes. This was an old offender, had been flogged repeatedly; this was the first time that he was punished with the regulation cat; he bellowed at every lash, and writhed with agony: his back was very much lacerated, and more blood appeared than I had observed on any other criminal; when taken down he seemed much exhausted, and cried like a child."

"David Hennan, *Marquis Huntley*, having stolen property in his possession, knowing the same to have been stolen, 50 lashes. This man was flogged 18 months ago; he flinched much throughout the punishment; the skin was lacerated at the 9th lash, and blood appeared slightly at the 39th lash; he neither cried nor spoke, but he seemed to feel considerably."

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"Francis Hayes, *Marquis Hastings*, disorderly conduct and neglect of work, 50 lashes. A young man; had been punished before; at the 1st lash he cried out, which he did during the whole of his punishment, and struggled most violently, calling out that he could not stand it, and praying to be taken down; about the 8th lash blood came, and he begged for water, which was given him; his back was much lacerated, and he appeared a good deal exhausted when taken down."

"George Delbridge, *York*, drunk and disorderly, 50 lashes. A strong muscular man; previous to being tied up he appeared to think lightly of the punishment he was about to receive; the first lash, however, caused him to change his opinion; he groaned aloud, and let his head fall on his shoulder after every stripe; blood appeared about the 9th lash, and his back was very much lacerated at the conclusion of the punishment."

"John Carroll, *Dunvegan Castle*, neglect of duty by feigning sickness, 25 lashes on the breech. This boy received 12 lashes about 3 weeks ago, and was flogged a short time before that; cried out loudly at the 1st lash; blood came at the 18th lash, and ran freely throughout the remaining part of the punishment. He must have felt *much* pain."

"Jeremiah Higgins, *Portland*, absconding,

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25 lashes. This man was flogged about 5 years ago; he *writhed* under the pain; the skin was lacerated at the 7th lash; the blood at the 12th lash; he cried out at the 22d lash. This man was *severely punished.*"

"John Thacker, *Surry*, neglect of duty, 50 lashes. Bruised, lacerated, and blood drawn."

"William Robinson, *Mary*, drunk and making away with a part of his dress, which was given him by his master, 50 lashes. This man was never flogged before; he cried out at every lash; the skin was lacerated at the 12th lash; the blood appeared at the 20th; this man *suffered* intense agony. Twenty lashes would have been an *ample* warning to him."

"John Green, *per* ship *Planter*, absconding, 50 lashes. Appeared to suffer much, bled freely, and fainted after the punishment."

I cannot help thinking, that in one or two of these cases it does not clearly appear that there was any offence at all. In the case of Edward Scandrake the offence charged against him was "neglect of duty by feigning sickness;" but mark what follows,—"He received fifty lashes last Monday week; his breech was sore from the last punishment." Now, when a soldier is flogged, the surgeon of the regiment dresses his wounds immediately afterwards, but in New South Wales they are allowed to recover the best way they can. But, in a warm country like that, every

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one knows that, until the wounds be properly healed, the sufferer feels weak and feverish, so that, to punish him for feigning sickness when, from his former wounds being still green, he must necessarily and unavoidably have been so, appears a degree of cruelty fortunately rare in any civilized country. Blood, it is said, came at the first stroke, which is very unusual; he screamed dreadfully at every lash,—"the blood running freely from the old wounds," which explains the circumstance of the blood coming at the first stroke.

John Carrol, a mere boy, accused of a similar offence, received twenty-five lashes. But this boy, it will be seen, had been flogged twice shortly before, not by drummer boys, as in the army, but by strong muscular men, so that he must have been very weak, and unable to do much work for some time. To accuse the young sufferer, therefore, of feigning sickness under these circumstances, and to punish him in consequence, appears a degree of cruelty actually painful to contemplate.

In a letter, dated Sydney, 31st March 1834, addressed by a person designing himself "*An Emigrant of* 1821," to the Right Hon. Mr Stanley, now Lord Stanley, and published as an appendix to the 4th volume of Montgomery Martin's History of the British Colonies, the writer says,—"Should a single act of remissness of la-

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bour occur, the prisoner is made to suffer an infliction of the lash; and I can assure you, Sir, from personal observation, that it is not uncommon to see a poor wretch working on the roads, or labouring in the fields, with his coarse shirt sticking to the green and tainted flesh of his lacerated back, and that too for the most venial offence,—the bare neglect of an order, or a single word of insolence or disrespect.

"I have seen men scourged till the blood has dripped into their shoes; and I have seen the flesh tainted and smelling on a living human body from the effects of severe flagellation—the very maggots writhing about in a wretch's flesh. And for what? Not for robbery nor violence, but upon the charge of an overseer that the prisoner neglected his allotted task. In this miserable condition is a convict obliged to labour. After being flogged he must instantly again to the field, exposed to the burning sun, with his back literally raw. This," the writer adds, "is but a feeble picture of the terrific system which Governor Bourke has partially corrected."

After these details you cannot be surprised to find that an excellent authority, examined before the House of Commons, characterized the system of assignment as "cruel, uncertain, prodigal, and ineffectual either for reform or example."

I knew a worthy old gentleman a few miles

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from Sydney, who had been forty years in the colony, who used to talk as coolly of giving his men fifty, as if they had been as many apples; he never added the word lashes, but his men knew well from experience, that it was not fifty glasses of rum, otherwise, they would, no doubt, have carried him shoulder high.

Flogging has been found to do more harm than good, as it makes the men hardened, and they soon come not to mind it all. It is still carried on to a certain extent, though not nearly so much as formerly. One of the clerks at Hyde Park Barracks told me, shortly before I left Sydney, that he had seen a man flogged on the day I happened to meet him, who said quite coolly, after it was over, "well I think I am getting on not amiss with this sort of work, this makes 1875." He never altered a muscle in his countenance, and had kept an exact account of the whole number he had received.

The frame to which they are attached is in the form of a triangle, their hands being fastened to two of the posts, and the regulation cat is a short stick, about a foot long, with nine tails of strong whip cord attached to it, about two feet long; these are changed every now and then, as when they become clogged with blood, the pain is infinitely increased. The place where they are struck is betwixt the shoulders, and occasionally on the breech; and the number has always

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to be called out, as, *one*, *two*, *three*, till the whole number be given. The quicker it is done the better, as one hundred lashes given at minute time would probably kill a man altogether. Mr Timothy Lane, generally called Tim Lane, who superintended the flogging at Hyde Park Barracks, when I lived in the colony, knew the effect of timing the thing well, from his long experience in that department, and his thorough knowledge of all the candidates for punishment. When an old offender was being flogged, Tim would sometimes say to the scourger, if he was getting through his work too rapidly, "take your time, my lad, there is no particular hurry."

Those who are flogged seem to entertain no dislike to the scourgers, as they are frequently known to give them a glass of grog afterwards. They look upon them in a proper light, as men who are obliged to do their duty, otherwise they would be flogged themselves. It would be well if people would look upon executioners in this country in the same light, and instead of loading them with every sort of obloquy and reproach, would treat them with even greater respect than other men in the same rank of life, from their having undertaken so disagreeable a duty. Every one admits that the law must be put in force by some one or other, and if no one can be got, the sheriff has to do it himself; and in America they frequently have to officiate *in propria persona*.

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Now surely that man is entitled to respect who comes forward voluntarily, and saves an enlightened sheriff that disagreeable duty. Some say that he prostitutes his feelings for gain; and what man in his senses would undertake such a thankless office were it not for the sake of a livelihood to himself and his family. As to the want of feeling which it is alleged they exhibit, they merely do it as a painful duty which they have undertaken to perform, and which they are paid for doing,—and Lord Nelson said, that England expects every man to do his duty. A party of soldiers are ordered to shoot a man, and they surely cannot be accused of any want of feeling in obeying orders. The soldiers who shot Marshall Ney did it with tears in their eyes, and every one of them would have laid down his life for him; but the duty of obedience they had been taught to consider their first—their last—their only duty. I was happy to see that the two executioners in Sydney were always treated with great respect by all classes of the community; and even the savages who attended the execution of their two comrades at Moreton Bay behaved with the greatest possible decorum.

One reason why flogging does so little good is, from its being done in private,—whereas the end of all punishment is example. What would be thought of an execution in this country where nobody was allowed to attend but the execution-

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er. When a soldier is flogged the whole regiment is drawn out in order to witness it. Those amongst the convicts who are flogged are apt to talk of it to their uninitiated comrades, (with the view, no doubt, of shewing their manliness), as if it were nothing at all; and it is not till they themselves have suffered in the cause that they come to know what it really is; and the strokes of a strong able-bodied man must be very different from those of a mere drummer boy.

The convicts, too, have not the advantage, as in the army, of a surgeon to dress their wounds, but must manage to recover the best way they can. New hands are very awkward at first, but old hands become very expert in curing themselves. As the wounds are very sore until the blood be removed, they lie down on their backs immediately after they are flogged, and get a heavy weight placed on their breasts, so as to press out all the blood. After this is done the pain soon ceases, and in six or eight days they are as well as ever, though the marks seldom come out. Such is a painful narrative of the discipline to which convicts are subjected in that country.

When a convict conducts himself properly, and has the good fortune to be placed under a good master, he is treated almost precisely, in every respect, as if he were free. The chief restraint upon his freedom is, that he cannot absent him-

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self from his employment, even for an hour, without permission, so that, when he goes any where, he is obliged to get a pass from his master or overseer. This pass mentions his name—where he is going, and the time allowed for his errand; and this he must show to every constable he meets who demands a sight of it; and if he have no pass, he is immediately taken up.

They often succeed in effecting their escape, and the Principal Superintendent of Convicts publishes a list every now and then of the names of those who have absconded, which is published in the *Government Gazette*. The following are the names of three who had escaped, taken from a list of nearly fifty others which appeared in the *Gazette* of 20th May 1840; and it will be seen from this how minute the descriptions are. The intimation to the public is in these terms:—

"The undermentioned prisoners having absconded from the individuals and employments set against their respective names, and some of them being at large with stolen certificates and tickets of leave, all constables and others are hereby required and commanded to use their utmost exertion in apprehending and lodging them in safe custody. Any person harbouring or employing any of the said absentees will be prosecuted as the law directs.

"Moncreiff, William Stewart, Kate, 37, Edinburgh, clerk, 5 feet 10¼ inches, dark ruddy

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comp., dark brown mixed with grey hair, brown eyes, eyebrows meeting, small raised mole over left eyebrow, two back of left cheek, nose large, scar back of top of middle finger of right hand, scar back of left thumb, scar on fore and one on middle fingers of left hand, chin small and declining, (was here before in the same name, for seven years, by the Caroline, in 1828,) from Escort 50th Regiment, proceeding from Kiama, to Wollongong, since the 10th March.

"Bennett, Jane, Mary Ann, 28, Sunderland, cook and laundress, ruddy and pockpitted comp., brown hair, chesnut eyes, nose thick, small dark mole right side of same, mark of a burn back of left cheek, bells of ears split, small mole left collar bone, 1 P on upper right arm, three scars and blue dot back of ball of left thumb, blue ring third finger of right hand, scar ball of left thumb, small brown natural mark palm of left hand, from Rev. William Schofield, Sydney, since May 11.

"Percival, Eliza, Sarah and Elizabeth, 24, London, house servant of all work, 4 feet 10 inches, ruddy and freckled, light brown hair, hazel eyes, NOPE, no pen can right, no tongue can tel, the akin hart that bids farewell, John Danel, heart pierced with 2 darts, IL, man, love, AN⊓LJB ET, and other marks lower left arm, DBMN heart and darts, Eliza Bignel, and other marks on lower right arm, : : F,EL and heart back of

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right hand, from Mrs Hind, Parramatta, since May 15."

The quantity of labour exacted from them seldom exceeds the one-half of what a free man would be required to do in this country, or, if taken as a task, perhaps two-thirds; and the rations of food and clothing provided for them by law are sufficiently ample in every respect. The condition of those, however, who have the misfortune to be under bad masters, must be considered wretched in the extreme.

But though the convict population of New South Wales are exposed to harsh and arbitrary laws, yet there are three grand inducements held out to them as incentives to good behaviour, namely, tickets of leave, conditional and absolute pardons.

The ticket of leave is a sort of warrant or license granted by the Colonial Government to a prisoner who has conducted himself well for a certain period, to acquire property, to reside in any district he may name, and employ himself in any way he pleases, exclusively for his own benefit, under certain restrictions, such as attending church—acting as a constable when required—appearing at the periodical muster roll, and some other slight obligations. He cannot, however, marry without the consent of the governor, which is seldom refused, and cannot, without the permission of a magistrate, leave the district

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over which his ticket extends, and he is still liable to the summary jurisdiction imposed on the convict population.

This ticket of leave was instituted as an encouragement to well-doing, and has had a wonderful effect. The period of probation before it can be obtained is proportioned to the original term of the sentence. Those transported for seven years can claim it after good behaviour for four; those for fourteen years after good behaviour for six; and those for life after good behaviour for eight years. It has been found in practice that convicts for seven years are generally the worst; as the knowledge that they have only a few years to serve renders them too often insubordinate and reckless of consequences.

Females were still further privileged, as after good behaviour in service, or in the married state, or as monitresses in the factory, those transported for seven years got their ticket after two years; those for fourteen after three years; and for life after four years.

In the event of a convict having committed any offence for which he has been punished, the probationary period is put back for a time, according to the nature of the offence; but, in the event of his being sent to a chain-gang, his ticket of leave is cancelled, and his period of probation begins anew, and the period during which he was in the chain-gang is not included, but is in

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addition to the time of his banishment, so that he must make up the time he was absent while undergoing his punishment, after being returned to his master, before getting his certificate of freedom. Thus, although he forfeit the intermediate space, the door is never finally shut against him, unless he be convicted of any offence which affects his life, or occasions him to be transported to Norfolk Island or Van Diemen's Land. There are, accordingly, several instances on record of men whose original sentence of seven years had been extended by this means over twice and even three times the period of their original sentence, and who, in addition to other punishments, had received two or three thousand lashes besides. The number of tickets of leave granted annually, for some years prior to 1840, when transportation to New South Wales ceased, was about 1500, but they are now, every year, necessarily diminishing. They are liable to be recalled if any new offence be committed, (including cohabitation with female convicts,) and a list is published every now and then, in the *Government Gazette*, of such recalls. The following, which appeared in the *Gazette* of November 1841, will shew the nature of some of the offences for which they are recalled :—

" The tickets of leave granted to the undermentioned prisoners of the Crown have been cancelled, for the reasons set against their re-

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spective names; Joseph Howard, *per* ship Hooghly, *misdemeanour;* John Smith, *per* ship Mangles, *disorderly conduct;* Moses Notrum, *per* ship Nithsdale, *larceny;* Mary Mulcrady, *per* ship Thomas Harrison, cancelled at her own request, as she cannot obtain employment."

This was a singular instance of a person returning voluntarily into banishment, and must have arisen from the circumstance of upwards of 4000 free single women having arrived in the colony during the year 1841,—a number quite unprecedented in any one year. They had to put them in tents, as the immigration barracks could not hold them all, so that the park round the government domain in which these tents were pitched, had more the appearance of the encampment of an army than a female boarding school. They published weekly bulletins of their number, and, in October 1841, the number of Irishwomen encamped, and wanting places, amounted to upwards of 500, of English women, to eighty-seven, and of Scotch, to thirty-seven, which shows that the Scotch women go off first, the English second, whilst the Irish seem to have difficulty in getting off at all. The step which Mary Mulcrady adopted was thus a very politic one, as the moment her ticket of leave was cancelled, she reverted back to the Crown, who were bound to support her; and Mary had evidently discovered that the system of bondage or freedom was

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merely ideal, compared to that much more important circumstance, namely, having her belly always well filled.

The second grand indulgence granted to prisoners is, a conditional pardon, which restores the rights of freedom within the colony, but bestows no power of leaving it, and no rights beyond its limits. Those banished for life are entitled to a conditional pardon after fourteen years' good behaviour.

But the third grand indulgence, namely, an absolute pardon, when issued under the Great Seal of England, but not before, restores the individual to all the rights of a free subject in every part of her Majesty's dominions.

This and the former, when once confirmed according to law, cannot be revoked, and the holders are, of course, equally empowered to pursue their lawful occupations in any part of the country as if they had never been convicted.

Both in New South Wales and Van Diemen's Land, Scotch convicts are considered the worst, and English the best. This seems to arise not so much from the laws of the two countries being so essentially different, as in their being differently administered; the punishment for minor crimes in particular, being infinitely more severe in England than in Scotland. Hence, hundreds are transported annually from England, for offences which, in Scotland, would be pu-

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nished by sixty days' confinement in jail or bridewell. It is reported, (though I cannot vouch for the fact,) that the late celebrated Samuel Terry, who was called the Rothschild of New South Wales, from his having left nearly a million of money, was transported for stealing a few geese from a common in England; and Mr Fitzgerald, who also died a few years ago in that country, leaving a quarter of a million, was transported, it is said, from London, merely for taking a handkerchief out of a gentleman's pocket. Juvenile offenders are thus sent from England, and rescued, as it were, from destruction, before habits of vice have had time to grow upon them, and before they have become hardened in iniquity. In Scotland, on the contrary, they are mostly old offenders before they are transported —the jail and bridewell have become so familiar to them that they are apt to consider them as their home, and they have had occasion to change their names so frequently, that their original name, when they come to be tried, has totally disappeared.

As an illustration of this, I shall lay before you the following case, selected at random from the Glasgow *Constitutional* of 4th September 1841, which fell into my hands in New South Wales:—

"*Pocket-picking.*—A boy of the name of Murdoch, who for a considerable time acted as an amateur thief-catcher, and often made his ap-

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pearance in the Justiciary Court, was sent sixty days to prison for picking a gentleman's pocket in High Street. This is the second time he has been convicted and imprisoned for this offence; having evidently got tired of being a spy on others, he appears determined on doing a little business for himself."

Here you have a boy, twice convicted of pocket-picking in Scotland, only sentenced to sixty days' imprisonment, while Mr Fitzgerald, for the same offence in England, was actually transported out of the country altogether.

In the same journal of 1st September 1841, the following occurs:—

"*Thefts.*—On Monday a slater was sent sixty days to bridewell for stealing lead from the roof of a house on Saturday morning.—A person of the name of Suter, who had formerly been in business in Edinburgh, was sent sixty days to prison for having stolen a great quantity of articles from the room in which he and his wife lodged, in St Andrew's Square, during the last two months. The articles, which were all pawned, consisted of blankets, bed-covers, pillows, kettles, pots, pans, candlesticks, dressing-glasses, and, in short, whatever could be carried off. The room having a separate entrance from the rest of the house, the theft was only discovered last week.—A young lad was also sent sixty days to prison for attempting to pick a gen-

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tleman's pocket at the Broomielaw on Friday last. This was his third conviction for similar offences."

Here you have the case of a person who had literally converted a furnished into an unfurnished house,—removing everything he could lay his hands on, who was only removed himself for sixty days to prison. I observed, also, in the Leeds *Times* of 16th October 1841, that a man was sentenced by the borough sessions held in that town, to be transported for seven years for the simple crime of stealing a coat; an offence, which, in Scotland, would probably have been punished by confinement only for a couple of months.

I trust, therefore, I have accounted satisfactorily for the Scotch convicts being the worst; as it is only after they have become old in crime, and hardened in iniquity, that they are transported from that country; and the few who are bad are the more remarked, the bulk of that nation being so good, just as a single scabbed sheep in a flock attracts more notice than all the rest put together. In point of numbers, too, the Scotch convicts are perfectly insignificant, compared either to the English or Irish; for, of the convict population, upwards of one-third is Irish; and of those executed in New South Wales, there is a majority of nearly five to one, in favour of not true
that nation. many of them are transported for treason. also Loving their country. Much means they endeavour to free [illegible] their own from there

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The following extract from the report of Mr Frederic Hill, inspector of Scotch prisons, addressed to the Home Secretary in 1845, confirms these views:—

"In England and Wales the average number of persons sentenced to transportation in each of the last three years has been 3900; while in Scotland, with a population of about one-sixth of that of England and Wales, the number has been less than 300. In other words, there have been more than twice as many persons sentenced to transportation in England and Wales, in proportion to the population, in the last three years, as in Scotland. And thus in England the class of prisoners who are most likely to be frequently committed to prison, are, to a much greater degree than in Scotland, removed out of the country.

"This great difference in the extent to which the punishment of transportation is used in England and Scotland is, I think, chiefly attributable to the power of awarding it being much more confined in Scotland than in England; being in England possessed not only by the judges, but by the numerous recorders and by the courts of justices in quarter sessions; whereas, in Scotland it is limited to the judges.

"The futility of repeated short imprisonments has been so often dwelt upon in my reports, that, perhaps some apology is necessary for recurring

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to the subject; but, so long as the practice exists, I conceive it to be my duty to protest against it as at once useless for the attainment of its object, expensive to society, and depriving the offender—often the child of neglect or bad training—of almost his only chance of reformation, and of becoming a respected and happy member of the community.

"At my last inspection of the Edinburgh prison I found a woman in confinement, for drunkenness and breaches of the peace, for her eighty-third time; and another had lately been liberated for her ninety-ninth time! These women had always been tried by the police-court.

"One great evil arising from the multiplicity of judges now employed in the inferior courts of criminal law, and of the constant changes among them, is the lottery character which it gives to justice; an evil of peculiar magnitude in the case of criminals, as, like other ignorant people, many of them have great faith in their good luck, and will run great chances of a severe punishment when they would shrink from the certainty even of a small one. It is evident, from the occasional remarks of prisoners, that, in their opinion, the amount of their punishment depends much more on who happens to be on the bench when they are tried, than on the nature of their offence.

"Sometimes when visiting the Edinburgh prison, and observing that there had been a sudden

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increase or decrease in the number of prisoners, especially of disorderly prostitutes, the matter has been explained by an officer's stating that it depends on the magistrate whose turn it happens to be to sit in court.

"At present the sheriffs in Scotland cannot, without a trial by jury, sentence any one to more than 60 days' confinement; a period far too short to make the great moral change which has often to be wrought, to instruct in honest employments, and to train to new habits; and yet to summon together forty-five gentlemen from different parts of the country, to try a boy for stealing a pair of shoes or an old coat, (and this number must be collected if a jury is to be formed,) is to set in motion so huge a machine, for, apparently, a small object, that it is not likely often to be done. If, however, a jury be considered necessary for determining the case, I would respectfully suggest the expediency of much reducing the number.

"The following evidence of Mr Miller, present governor of the prison of Glasgow, but long and widely known as the able superintendent of police at Glasgow, and who for some time held the office of head constable at Liverpool, appears to me to be very instructive in this and several other points of view, especially as there is an energetic and efficient stipendiary magistrate at Liverpool, (to the exclusion of any inferior court,)

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corresponding in many particulars with the resident sheriffs in Scotland :—

" As superintendent of the police in Glasgow for several years, and afterwards as head constable in Liverpool, I have had an opportunity of comparing the amount of crime in the two places ; and I am decidedly of opinion, that, after allowing for the difference in population, there is less crime in Liverpool—especially crime of a serious kind, such as house-breaking and street robberies—than in Glasgow. I am of opinion that this difference is caused partly by there being in Liverpool a united police, extending over the whole of the parliamentary district, including the docks, instead of several separate police establishments, as in Glasgow ; partly by the police being more numerous at Liverpool, in proportion to the population, than in Glasgow ; partly by there not existing in England that restriction on evidence which is to be found in Scotland, by which one witness, however trustworthy, and however clear his testimony, is declared to be insufficient, and which, I am certain, leads to the escape of many offenders in Scotland : partly by any one charged with theft at Liverpool, and who has been once previously convicted of theft, being generally sent before a higher court, which has the power of transportation ; partly by its being the practice at Liverpool to punish (with some months' imprison-

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ment,) persons of known bad character, who are found under suspicious circumstances, even though no particular offence can be brought home to them, (the consequence of which is, that there are comparatively few such persons to be found in the streets of Liverpool;) partly by the facilities to crime in Glasgow, caused by the numerous wynds and closes; and partly by the difference in the poor law in England, which provides easy relief to those who are really in want of it, and enables destitute persons, at a distance from their ordinary place of abode, to obtain the means of returning home to their own friends."

It must also be borne in mind, that those of the Scotch who are transported are, in general, such veterans in villany that they are too old to reform; whereas hundreds of the English, on the contrary, who have been transported early in life, bless the day on which they were banished from their native land, and removed far from the scenes of their guilt, and the associates of their crimes. Many of them have returned to the land of their birth in order that they may lie down, and be buried in the graves of their father and of their mother, while others are standing forth, in that the land of their captivity, but now of their reformation, patterns of every thing that is praiseworthy—loaded with wealth, and contributing liberally to the charitable institutions, the

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advancement of education, and the promotion of religion in that remote country.

In London it has been computed, that there are four thousand children, of both sexes, between the ages of eight and fourteen, who rise every morning from dens of vice and misery, without knowing where they shall procure food for the day, or where they shall lie down at night. These children gain their living by thieving, having been brought up to it from their earliest infancy; and, so far from imagining it a crime, they think it an honour to rob dexterously; as much so as an Arab does to spoil a caravan. The Arab knows that he risks being shot in his enterprise, but he considers it only a drawback on his chances of success—a misfortune, the risk of which he must run. So also the juvenile thieves, and many who are older, consider detection, imprisonment, transportation, and hanging, only in the light of misfortunes, and not of disgrace, just as a sailor calculates shipwreck as one of the chances against him.

Should the ticket of leave be held for a certain number of years, the holder is entitled to a conditional pardon, which is not liable to be forfeited at the will of the Executive, but is limited in its sphere of operation to the colony; differing in this only from an absolute pardon, which restores the convict to all the rights and privileges of a British subject. "This plan," says Montgomery

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Martin, "is not only sound in theory, but works well also in practice; and no person of the most ordinary discernment can visit New South Wales, without perceiving its beneficial results. On every side the traveller witnesses proofs of an industrious and prosperous community; he beholds ships, warehouses, steam-engines, farms, &c., the owners of which were transported from their natal soil, and who, after having paid the penalty demanded by the laws, have commenced a new life, setting an example of honesty, morality, and enterprise to those from whose abject condition they have emerged, and who are thus strongly urged to imitate their example. I have visited almost every part of this earth; but nothing ever gave me so much pleasure as the grand moral spectacle which our penal colonies presented: it is indeed a glorious sight—one of which England may well feel proud—for on her historic scroll is eternally engraved the triumph of Christianity over human prejudices, and the reformation of feeble and fallen man."

The second class in society consists of those who have once been prisoners, and are now free; they are termed *emancipists*. Individually and in aggregate they are possessed of great wealth in land, houses, ships, merchandize, &c., computed by some as amounting to one-fourth of the whole wealth of the colony. They are associated with the next class in society above them, in various

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public undertakings and institutions; and the colony is much indebted to their talents and honestly acquired wealth for its prosperity.

The next and highest class consists of those who have arrived free in the colony, either as emigrant farmers and settlers, whether shopkeepers, merchants, or government officers and functionaries, &c. Some individuals of this class refuse to associate in private, and actually do associate as seldom as possible in public, with the preceding class. They hold that a man having once committed a fault against society is to be for ever shut out beyond the pale of that station in which they move, no regard being paid to his having legally atoned for his offence by undergoing the punishment prescribed by law, and having morally expiated his crime by the unblemished life he may have subsequently led, which, together with his industry and talents, may have often placed him, as regards wealth, far above those who thus exclude him from their community. While feeling respect for what appears to be the prejudices and unjust reasoning of the exclusionists, we need not acquiesce in their premises, nor in the deductions drawn from them, as they are not only opposed to every feeling of humanity, but are in direct opposition to the divine command—"Forgive as ye hope to be forgiven,—for if ye forgive not men their earthly trespasses, how will your heavenly Father forgive

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you?" The errors of youth should not be allowed to fix a stigma on the virtues of age.

Mr Miller, superintendent of the Glasgow Police, in an able paper, which he read to the British Association at their meeting there in 1840, on the crime and criminals of the city of Glasgow, attributes three-fourths of the crimes committed in that large city to drunkenness. He states that there were, at that time, 2300 public houses in Glasgow, mostly of a mean description, or one for every 117 of the population. He then shews how totally inefficacious the Scotch system is in preventing crime; and thus confirms, in a striking manner, the reasons which I have assigned for Scotch convicts being the worst. I shall transcribe just one passage of Mr Miller's paper.

"When crime," he says, "has been committed, and especially after conviction and punishment, the character of the delinquent is almost always irretrievably lost. Though he were so disposed, he has no way of obtaining honest employment, for no one will take him without a character, and he is shunned by all. Necessity, therefore, compels him, though it may be against his own inclination, to continue the guilty career he has commenced. He proceeds from bad to worse, until finally arrested by the hand of justice, and made to expiate his crimes in exile, or on the scaffold. Thousands of unhappy individuals,

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who have once swerved from the path of rectitude, would gladly return to a virtuous course of life, if they had the power; and it is certainly deeply to be deplored, that no adequate means have hitherto been provided for remedying so great an evil. The most effectual mode appears to be—the formation of a workhouse, or a house of industry, set apart for the accommodation of the criminal part of the population of the city, where, by a confinement of some duration, and by regular tuition and industrial occupation, habits of industry and morality may be formed, and the inmates fitted for again mingling with the respectable portion of the community; and it should be a part of the plan of such an establishment, that after an inmate has approved himself satisfactorily to the directors, means should be taken of finding him honest employment on again entering the world. The present mode of punishment for crime is not merely *useless*—it is absolutely *prejudicial* to a very great extent, and tends materially to increase the evil it is intended to alleviate. The great mass of offenders, when convicted, are sent to jail, or to bridewell, for periods varying from five to sixty days, and hence, from the shortness of the period, they are no sooner placed within the walls, than their minds are occupied with the prospect of a speedy deliverance. Attempts are, no doubt, made to instruct them, and they are put to some descrip-

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tion of work; but, for the most part, such endeavours are completely in vain, as virtuous principles and industrious habits cannot be formed in a day. They come out of prison really in a more hardened state than before, and with a deeper sense of their destitute condition; and, at all events, if any good impressions have been made, they are soon obliterated; for, at the very threshold of the prison, they are met by bands of their old associates ready to welcome them, and as they have no calling to which to turn, nor any honest mode of obtaining shelter and subsistence, they are forced once more to mingle with the guilty crowd, and do as they do."

It has been remarked by a writer in the European Review, "that a man is banished from Scotland for a great crime, from England for a small one, and from Ireland, morally speaking, for no crime at all. Hence, in New South Wales, an Irish convict may be a good man, an English passable, but a Scotch one, almost invariably a villain."

On reaching Port Jackson, the convicts were marched, under a proper guard, to barracks prepared for their reception, and were afterwards handed over either to a government superintendent of works to be employed in the formation of roads, bridges, &c., or assigned to such of the settlers as were entitled to convict servants, and had applied for them. This answered the

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double purpose of saving the public exchequer the enormous expense of maintaining them, and of benefiting the settlers, to whom convict labour, from being cheap, was so valuable. Indeed, the saving that has thus accrued to the settlers for labour, since the formation of the colony, has been estimated at £20,000,000 sterling.

In consequence of transportation to New South Wales having ceased in 1840, there have been no new assignments in that country since 1841, though those in possession of assigned servants still of course retain them, and their number amounted on 1st January 1841, to 21,850, though now rapidly diminishing.

For many years prior to 1840, when transportation to New South Wales ceased, some of the worst of the criminals were sentenced at home to be worked for part of their time in ironed gangs, so that all these were of course immediately handed over, on their arrival, to some of the iron gangs, whereas formerly none were sent to them, except those guilty of some offence in the colony.

Originally, however, and when the free settlers were few in number, the greater part of the convicts were employed either in agriculture, or in public works by the Government, and the iron gangs, in particular, were frequently employed in clearing some of the more fertile places, of the heavy timber upon them. The Emu plains, in

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particular, about forty miles from Sydney, and by far the most beautiful plains I saw in that country, were cleared in this manner. When they had occasion to flog them, they generally tied them up to one of the adjoining trees, which were thus very useful, as they saved them the trouble of erecting a triangle.

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CHAPTER VI.

Bushrangers—An Account of some of their Depredations—Their Politeness when unresisted—Execution of six of them for the murder of Mr Graham.

THERE is a class of men, called bushrangers, in that country, who may be described as escaped convicts, who have fled into the woods or the bush, and, by joining together in parties, generally from two to six, add the wandering habits of the savage, to the depravities of civilized life. They are, in general, the dregs of the convict population, and have, for the most part, been desperate characters at home. Their former habits, consequently, soon begin to appear, and they speedily suffer under the summary and rigid laws of that country, first, by being often flogged, and then sentenced to an iron gang. The strictness of the discipline to which they are there subjected seems to fill them with desperation; and, though watched with the most scrupulous care, yet, if determined, they contrive generally, some-

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how or other, to escape. After doing so, they, of course, have no alternative but to take to the bush, and the greater part of them, consequently, are convicts who have escaped from iron gangs.

The years 1829, 1830, and 1831, are the years in the history of that colony, when bushranging may be said to have been at its greatest height; as, during these three years, there were nearly 500 escapes from iron gangs. During these three years also, the notorious bushrangers Walmsley, Webber and Donohoe, spread consternation throughout the whole colony; whilst Macnamara, the celebrated murderer, with his associate Dalton, carried terror into the very heart of Parramatta, situate about fifteen miles from Sydney, and the second largest town in the colony. Convict insubordination and public outrage had indeed arrived at such a pitch during that period, that the bushranging act was found to be an indispensable enactment for the protection of life and property. During these three years, about 150 were executed, fifty-two in 1829, and the rest in 1830 and 1831, which thinned their ranks very much, as they were never a very numerous body, and bushranging has declined ever since.

They cannot be called a bloodthirsty set of men; indeed, I should say, that, upon the whole, they were rather the reverse. They are, of course, for the most part, reckless and deter-

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mined characters; but latterly, at all events, they have seldom been in the habit of committing murder or violence upon the person, unless when resisted, as they find this their best policy. Emigrants were apt, at one time, to come out with muskets and pistols, as if they were determined to blow the whole race of them to atoms; but they soon found on landing there, that resistance did more harm than good. I met with at least twenty individuals in that country who had been attacked by bushrangers, and not one of them had been maltreated, as they had offered no resistance. Indeed, I was sometimes surprised how they were allowed to walk the course, even under circumstances where defence would almost, to a certainty, have been attended with success. The following is an instance of that kind, which happened in March 1842; and it will be seen that the editors of the *Sydney Herald*, the paper from which I have copied it, express their astonishment also, at the conduct of the two constables who happened to be present on that occasion:—

"On the 3d instant, at 3 P. M., as Colonel and Mrs Gwynne in their carriage, Major Woore and Thomas Woore, Esq. J.P., in their tandem, and the future chief constable of Goulburn, with another constable in a gig, were proceeding through Bargo Brush, on their way to Goulburn, about two miles from Bargo River, two mounted

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bushrangers, armed with double-barrelled guns and pistols, galloped up, and presenting their pieces, ordered the party to stop and deliver their fire-arms, which none but the two constables were provided with, who, *without any resistance*, gave up a gun loaded with ball to one of the bushrangers, who immediately discharged and threw it on the ground; they then, with their guns still levelled, demanded money, which was given them to the amount of L.11, 14s., of which they *generously returned* L.3, 14s. for expenses on the road; they were then allowed to proceed without further molestation.

"The Goulburn mail had been robbed by these daring fellows about half-an-hour before, of which they boasted; the mail bags were searched, and L.5 taken from Mr Jones, a passenger.

"The conduct of the constables on this occasion cannot but be considered highly reprehensible, as they had ample opportunity of making use of their fire-arms to advantage, from the time the party were first stopped, until one of the bushrangers approached their gig, which was hindmost."

The following is the account of the robbery of the Goulburn mail immediately before:—

"On Thursday afternoon, about three o'clock, the mail was stopped about a mile on the Sydney side of Badgerry's Inn, Bargo Brush, by

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two armed bushrangers, well mounted, with two double-barrelled fowling-pieces, and two pocket pistols. They deliberately rode up, and, addressing themselves to the coachman, said, 'Stop that mail!'—one of them immediately alighted—requested that the mail bags might be thrown out, which they commenced, without loss of time, to open, by cutting the fastenings; one or two seals were broken, but they returned the letters without finding any money. They were very civil to the passengers—and took L.7 from Mr Frederick Jones, of Murrumbidgee, L.2 of which they returned, to bear his expenses on the remainder of his journey to his station. They detained the mail about ten minutes—wished the travellers "good day!" and rode towards Sydney. Upon the whole, and under all circumstances, *they were very decent highwaymen.* They opened also a pair of saddle bags, and only took away a 'Jim Crow' hat, about which they had a very hearty laugh."

It is seldom they get so much money as they did on these two occasions, as the settlers there are in the habit of giving orders on their agent or banker in Sydney, for their expenses on the road, however small, and these pass as bank notes from one to another, and are sometimes not presented for months. These orders are of no use to Bushrangers, as their payment is immediately stopped.

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You will see from this, that bushrangers are, in general, well mounted, horses being the first thing they seize when they take to the bush, and, withal, exceedingly generous. On the two occasions above alluded to, they returned to the different parties no less than L.5, 14s. for their expenses on the road; and did you ever hear of people who had been robbed in this country getting back anything at all? Why, they are apt to think themselves well off if they escape with their lives. When they rob drays, they uniformly invite the drivers, who are, for the most part, convicts also, and have a fellow-feeling towards them, to take a social glass with them, of the drink which they are almost sure to find; a request with which that class of men are very apt to comply, and the prospect of which at once disarms all opposition; and when they rob dwelling houses, they generally behave in the same gentlemanly manner, provided no resistance be offered. I may mention an instance of this, which was told me by the brother of one of the parties whose house had been attacked. Mr Carlewis, the name of the gentleman, had an estate at some considerable distance from Sydney, where he resided with his wife and family. Having had occasion to leave home for some days, his house was attacked during his absence by three or four mounted bushrangers. Mrs Carlewis was thrown into a great state of agita-

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tion on their making their appearance; but the ringleader of the party, who had evidently seen better days, told her not to be in the least degree alarmed, as they always treated ladies, in particular, with every possible respect, and that he had too great a regard for herself and her family to shew them any thing but civility. He then asked her to shew him her jewellery, which she did, and, on his putting into his pocket some particular article, she begged of him not to take it, as it was a present from a valued friend, upon which he immediately returned it. Mrs Carlewis was then invited to join them in drinking to her husband's good health, and having accepted the invitation, he politely handed her to the dining-room,—rang the bell for the servants to bring them a couple of bottles of the best wine, which, having finished, they politely retired.

Mrs Bowman, who resides at Richmond, forty miles from Sydney, told me when in that neighbourhood, that they behaved equally well to her husband and herself, when attacked in a gig on the Bathurst road, returning some article which they asked back.

But though resistance is seldom made to them on the road, unless by a capturing party, yet they occasionally meet with a very determined one, by the inmates of private houses. The following is a striking instance of that kind which happened in the year 1840:—

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"THE ARGYLE BUSHRANGERS.—On the 22d instant, a party of five armed bushrangers, well mounted, attacked the station of Dr Gibson on the Fish River. As they approached the hut in which Mr Fry (the superintendent of Dr Gibson) was, he perceived them, and having plenty of arms and ammunition at hand, and a government man to assist him, he called on them to stand. They immediately alighted from their horses, behind which they protected themselves. Mr Fry fired. They then retreated behind some trees; they afterwards gained the cover of a stable, about thirty yards from the house, from which, for the space of one hour and upwards, they continued to fire at the hut in which Mr Fry and the government man were. Mr Fry during that time was unable to get a good shot at them; but at length one of them thrust his head out of the stable, he was immediately fired at, by Mr Fry, and wounded. The bushrangers then retreated, carrying away their wounded companion. They have since called at another station of Dr Gibson's, and told the man in charge of it, that Mr Fry had shot their best man; that he was lying mortally wounded—that they were determined to go to Dr Gibson's station again, and murder *every one* there. These five men are recognised to have been the same that murdered Mr Hume, and it is supposed that the celebrated Scotchie

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was the one shot. A large party of mounted police, together with active officers, are immediately to proceed to Argyle."

They seldom attack the dwellings of the working classes, except when hard pushed, and then they are not very severe, as if they get their pipes lighted, and something to eat, they are generally satisfied, though they almost invariably seize fire-arms, when they come in their way. They show, therefore, somewhat more discretion in this respect than those of their countrymen, who attacked the house of a poor old man in this country, who, on their getting admittance into his house, addressed them thus, "my worthy friends, you'll be very lucky if you find any thing here in the dark, for I can find nothing in the day-light."

I believe that, in general, they lead a very miserable life, being under constant apprehension of being taken. This was strikingly exemplified in the case of the two celebrated Van Diemen's Land bushrangers, Brady and M'Cabe, who were met by a gentleman travelling through the bush in that country, in the year 1838, who gives the following account of this rencontre:—

"The strangers approached me till within about fifteen yards, or less, when they presented their guns, and ordered me to stand. They then told me who they were; uttering the names of the two dreaded bushrangers, but at the same

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time assuring me that no personal violence would be offered, unless I resisted them. Unarmed as I was, it would have been folly to have thought of such a thing; I therefore yielded to circumstances, and became their prisoner.

"They then tied the hands of the men who were with me, and of the other also, who came up a few minutes afterwards, searched me, took from me my watch, and marched us up to the tent, where I found the bullock-driver and tent-keeper bound and made fast. They had plundered my tent of every thing—clothes, provisions, and fire-arms. They were then dressed in my apparel, but, with the exception of this aggression, they were civil, and communicative with respect to the circumstances in which they were placed. They said they were very miserable—that their life was one of constant anxiety—that every man's hand was against them—that a twig in the forest could not fall, nor a kangaroo move, but they were filled with the dread of coming in collision with the parties of soldiers and constables who were dispersed in all parts of the colony in search of them. At my earnest solicitation they returned my watch to me, and after some little time longer, Brady remarked, that as I had had a long day's work, I must be both tired and hungry, and that therefore I had better partake of that which he had made my tent-keeper cook for me, to which I gladly assented, and made as

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hearty and comfortable a dinner as might be expected under such circumstances."

There is hardly an instance of their escaping in the long run, though they are sometimes out for years. The more polite, and the more reasonable they are in their demands, the longer do they escape, as, when those attacked are well used, they will not put themselves to much trouble to get them apprehended. A celebrated bushranger called, for a bye-name, Jackie Jackie, was captured shortly before I left the colony, after having been for several years committing depredations in the bush; but he made it a rule never, if possible, to use violence of any kind, and to be as civil as circumstances would permit.

When violence is used they seldom escape long, as the whole country, as it were, rise up against them. A striking instance of this occurred during my residence in Australia. Six bushrangers, in the year 1841, attacked the house of a gentleman in the bush, and the overseer, a Scotchman of the name of Graham, very inconsiderately fired upon them; upon which one of the party deliberately took aim at him and shot him dead. The ringleader, upon seeing him fall, exclaimed, "Now, my lads, it is all over with us." This ringleader was a Jew, and was gifted with a goodly portion of that shrewd common sense which forms the distinguishing

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characteristic of that ancient and most singular people. He had cautioned his party on no account to use their fire-arms except in cases of urgent necessity; as he knew well, that so long as they confined their operations to a little robbery and plunder they had a good chance of being enabled to carry on for some time, and, if taken at last, would, at all events, escape with their lives; whereas, by following a different course, their career would soon be terminated. It happened exactly as he had predicted. The whole inhabitants of the district rose *en masse*—the mounted police were sent to the spot from the surrounding stations—most of the gentlemen of the district volunteered their services, and one of the most active magistrates placed himself at the head of this army. They came up with them the second or third day they were out. The bushrangers fought desperately, but were soon overpowered and taken. They were brought to Sydney, tried, found guilty, condemned and executed. Every possible means were used by the Jews in Sydney, who are a numerous and opulent body, to save the ringleader from being hanged; that being a punishment to which few of that race have been subjected, in any age or country, and the counsel whom they employed on his behalf, impressed upon the jury the exhortation he had delivered to his comrades not to use violence. This, pro-

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bably, might have succeeded in saving his life, had it not been for the circumstance that the magistrate, who was at the head of the capturing party, swore distinctly, upon the trial, that it was the Jew who twice took deliberate aim and fired at him from behind a tree, where he had stationed himself, and this sealed his fate. From altering his tactics he had evidently become desperate,—considering it all up with them. In Sydney they are executed on a scaffold within the walls of the jail, and as many of the public are admitted as the court will hold, though females are excluded. A party of soldiers are drawn up round the scaffold, and their coffins are ranged under it, at the sides of which they kneel and pray before ascending. A Church of England clergyman attended three of them, who were of that persuasion; a Roman Catholic priest two, who were of that denomination, and a rabbi, or high priest, the Jew. There is a division in the scaffold,—those belonging to the Church of England being placed on one side, and those of other denominations on the other. The Jew was dressed in a new suit of black, and had a remarkably intelligent countenance; while the rest were dressed in pure white. They get a tremendous fall in Sydney—not less than five or six feet, so that their sufferings are soon over. It was remarked that not a single Jew attended the execution, though there are nearly a thousand of

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them in Sydney. The spectators behave with a remarkable degree of propriety in that country on such occasions, very different from what I have often seen in Britain.

At one period a single punishment threw a prisoner a whole year back from getting his ticket of leave, and certain masters were known, at that time, to have actually tempted some of their most exemplary men, when on the eve of obtaining them, to commit some trivial offence for which they might be punished, in order to secure their services for another year. Is it then to be wondered at that these men, in a moment of disgust, and while almost frantic with despair at seeing the cup of freedom dashed from their lips when about to taste its contents, should betake themselves to the bush? "Many of the assigned convicts," says Butler, "who were approaching the termination of the period of their probation, have, by the harshness of their taskmasters, been driven into the woods to lead the lives of savages, and to become the terror of the surrounding neighbourhood." "Such," he adds, "are the bushmen of New South Wales, whose wild depredations have been so much exaggerated, but who, always few in number, are still becoming fewer." Governor Macquarie, in a letter which he addressed to Earl Bathurst on 10th October 1823, says, in like manner,—"I have no doubt that many convicts who might

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have been rendered useful and good men, had they been treated with humane and reasonable control, have sunk into despondency by the unfeeling treatment of such masters; and that many of those wretched men, driven to acts of violence by harsh usage, and who, by a contrary treatment, might have been reformed, have betaken themselves to the woods, where they can only subsist by plunder, and have terminated their lives at the gallows." Mr Mudie also remarks, "that in proportion as they are laborious, it was not the interest of their masters to facilitate their obtaining tickets of leave."

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CHAPTER VII.

Demand by the Colonists for a Representative Government—Granted in 1843—A few remarks on the Suffrage—The Duration of Parliaments—And the Ballot.

In the year 1842 the inhabitants of New South Wales agreed to petition the British Parliament for a Representative Legislation, which was granted to them in 1843. It is composed, 1st, of the Governor, as the representative of her Majesty; 2d, of an Executive Council of five, the Governor being President; and 3d, of a Legislative Council of thirty-six, of whom twelve are nominated by the governor, and twenty-four chosen by the people.

Port Phillip is represented by six members, including one for the town of Melbourne, and Sydney sends two members.

In the petition that was agreed to at a public meeting convened for that purpose, it is stated that the value of the property in that colony was

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upwards of £30,000,000 sterling—that their maritime commerce during the ten years previous amounted to upwards of £20,000,000, and that during the five preceding years they had relieved Great Britain of nearly 60,000 of her surplus population, at an expense to the colony of £1,250,000 sterling. At the meeting, which consisted of upwards of one thousand individuals, they differed about one of the members (a Mr M'Dermott) proposed to be selected for the committee; the aristocratic party objecting to him on the ground of his principles being somewhat too radical. They divided upon this point, but had some difficulty in devising the best plan for taking the sense of the meeting. At last it was suggested that they should adjourn to Hyde Park, in the immediate vicinity, and this having been agreed to, they were drawn up on two sides like a regiment of soldiers—counted over, and marched back again. The committee appointed agreed, *inter alia*, to petition Parliament for triennial elections, though they have only obtained quinquennial, and the franchise has been fixed at £20.

The quinquennial act, however, which they have obtained, must be considered an improvement on the septennial system, as established in Great Britain, which is evidently too long, though it has the advantage of preserving that

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country from the stagnation of trade, which the agitation of elections is so apt to produce.

The advocates of the septennial system, however, instead of resting on this, perhaps their only solid ground of defence, have resorted to a much more fallacious and untenable position, namely, that though nominally septennial, yet that practically, and on an average of years, they are scarcely even quinquennial. But they forget that the whole efficacy of the thing depends on the time being both fixed and limited. We are so constituted by nature that we invariably look forward to the longest and not to the shortest time for enjoying any privilege which we possess, or which gives us pleasure. We all, for instance, look forward to remaining upon the earth for eighty or ninety years, and all the bills of mortality that were ever published are insufficient to banish from our minds the conviction that we are to be amongst the number of those destined to attain that age: mankind, it is said, considering every one mortal but themselves. Did we know, however, to a certainty that we should be called off at fifty-five, the average duration of human life after puberty, the preparation for eternity would be commenced long before that period; whereas it happens too frequently, that from having our eyes constantly fixed on the most remote period of human existence, there is comparatively but little prepara-

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tion made at all, and we are cut off at an unlucky and unexpected moment, before the time calculated on had arrived. So it is with septennial Parliaments. Members, from having their eyes constantly fixed on the seven years, are apt to become more careless than they would be, say under the triennial system—three years being inadequate to gratify the ambition of most men. Did they know for certain, however, that their state of probation was limited to that short period, they would see the absolute necessity of being vigilant during the whole of it, in order to secure their re-election.

In regard to annual Parliaments, they would even be worse than septennial, as they would keep the country in one continual state of excitement, so injurious to all classes, without any corresponding advantage. Indeed the working classes themselves would be the greatest sufferers, as every one knows that in a country like Britain, where capital is so great, those possessed of it will not launch out when there is political excitement of any kind.

They would, moreover, be no less unjust to the representatives, as immediately after they had obtained a knowledge of the forms of the house, and some little confidence in their own position, they would be required to walk off. The more important the qualifications which a man ought to possess, in order to render him a fit repre-

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sentative the more time should be allowed for their development. A ploughman may be dismissed with every degree of propriety, after a trial of six months, as, if he be not a steady good ploughman by the end of that time, he will probably not be much better though you were to keep him for six years. Not so with members of Parliament. Some of the best representatives which Britain has had, made no figure at all for the first year or two, by which time, under the annual system, they would have been off the field altogether. Though prepared, therefore, to assent to the truth of the old proverb, "that short accounts make long friends," yet this rule can hardly apply to the case of a worthy, though perhaps somewhat diffident representative, with whom you have opened an account of so short a standing, that the poor man is dismissed whilst protesting his innocence with all his might, and declaring that he had been condemned before his trial was finished, and before he has had time to make his defence.

The biennial, which is the American system, though it works tolerably well in that country, where they have both universal suffrage and the ballot, and where, from being comparatively a new country, there is as yet no great accumulation of capital, is also too short for a country circumstanced as Britain is.

Triennial Parliaments, if absolutely fixed to

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endure for that period under all circumstances—the prerogative of the Crown in dissolving them being also withdrawn, seem to hold the position of the golden medium betwixt annual Parliaments on the one hand, and septennial on the other. In New South Wales they petitioned for triennial Parliaments, and Mr Laing, in his admirable work on Norway, mentions that they were introduced into that country about thirty years ago, and have been attended with complete success.

The whole argument, in short, comes to this: Triennial Parliaments would enable us to get quit of bad representatives within a reasonable time, and after a reasonable trial, while good ones would not need to care though they were to last but three days, as they would be re-elected. But even with the best of them, the knowledge that their state of probation was both limited and certain, would have a wonderful effect in keeping them constantly at their post; and it seems but proper that every steward should, once in three years, be called upon to give an account of his stewardship.

In New South Wales the elective franchise has been fixed at £20 of annual rent, which is scarcely equivalent to the £10 franchise in Great Britain; rents there, though considerably reduced, being still more than double those here.

There are some who advocate universal suf-

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frage on the broad principle that all who contribute to the service of a state by paying taxes, either directly or indirectly, (which all do,) are entitled to a vote,—taxation being denominated the basis of representation. There are others, again, who, though they assent to this principle in theory, seem to think that in Great Britain, at least, it would be inexpedient to reduce it into practice, as the democratical influence thereby called into action would, they maintain, be apt to subvert the monarchical branch of the constitution altogether. Many intelligent men, also, doubt the capacity of a large portion of the community for understanding their own welfare, and are afraid that the interests of the whole might suffer if they were permitted to exercise their own discretion. But if the minority of a nation be desirous to live in a state of mutual violence, while the majority wished to live peaceably, then the latter would certainly be entitled to coerce the former, just as a man would be entitled to knock down a madman who persisted in setting his house on fire. If the opposite were unfortunately the case, and the majority were to become partisans of violence, and acted thereon, then, as their right so to do could scarcely be impugned, the minority would have no alternative left but to follow up the system, and help themselves in the best way they could. They would thus be placed in a similar predica-

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ment with the dog in the fable, which used to carry his master's breakfast to the field every morning with great care and fidelity, but being attacked one day by other dogs, and in danger of being overpowered, he thought that since it had unluckily come to that, he might as well have a share of what was going, and he accordingly joined his comrades in finishing the concern. Were such a state of things to arise, it would be what is called a revolution, but to imagine that so untoward an event could take place in England is absurd, unless the majority of that sensible nation were all at once to become mad. The notion that a general division of all property into minute portions would make the whole more productive, and each individual better off, can only be entertained by a person of very narrow intellect. It would be much more likely, indeed, to destroy half its value, by throwing difficulties in the way of working it; just as when a mob plunders a baker's shop, the greater part of the bread, during the scramble, is trampled under foot. An eminent author, whose work I met with in New South Wales, and who seems to be an advocate for the cause, makes the following remark upon this subject:—

"But there is reason to believe, that a certain extent of intelligence has now pervaded so very large a portion of the community, that, probably, not a tenth part of the whole are ignorant

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enough to conceive that they could in any way benefit their condition by a state of disorder and confusion. The other nine parts then would be an overwhelming majority, interested, and that strongly, in the maintenance of order. If this be so, and I believe it is not to be doubted, what possible damage could result from universal suffrage? In the United States the suffrage is universal, excepting the slave population of the Southern States, and it is found in practice, that the most intelligent portion of the community are usually elected for legislators. What more can be needed? I assert then, without fear of rational contradiction, not only that the suffrage ought to be universal as a right,—but that no evil could result to the community at large, from its being acknowledged as a law."

The greatest opposition to the extension of the suffrage in Great Britain, will, it is thought, arise from those who obtained their franchise under the Reform Bill. This would result from the love of power, a principle inherent in human nature, as this would swamp their political importance altogether. The nobility do not like their numbers increased, as their maxim is, the fewer the more select. Were one to meet a nobleman at the corner of every street, as at St Petersburgh or Naples, we should soon cease to take less notice of them than of the dervises or beggars in Persia, who, on coming to a town,

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blow a trumpet before them, to announce their arrival; and it is but proper that the public should be made aware of such an important event.

The author of "The Life of a Travelling Physician," in alluding to the number of princes to be found in Russia, after stating that they are as plentiful as blackberries, adds, "A Russian prince may have ten sons, all of whom will be princes; each of these may have ten, who will also be princes; and there being no right of primogeniture, the original property is divided a hundred fold, the fortunes are lost, and princes have been reduced to drive hackney coaches, as Prince Galitzin was, in reality, a jarvey."

Those possessed of votes prior to the English Reform Bill, were in general opposed to that measure, as it diminished their power, and the ten pounders will oppose universal suffrage on the same principle. Nay, they will, in all probability, oppose it even more than the old freeholders; as those who have been deprived of the greater part of a privilege which they once possessed are apt to become indifferent to what remains. A man who has been accustomed to his carriage and four, is miserable when reduced to ride in a gig; and it would give him comparatively little uneasiness to be deprived even of that, as his thoughts are constantly fixed on his carriage and four, and the loss of his gig he would

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consider as nothing compared to that. Many of the old freeholders say, that the people obtained so much under the Reform Bill, that they may now as well have the whole, and that would put an end to the matter at once. The ten pounders will, accordingly, be found the most strenuous opposers to the extension of the suffrage; and, in confirmation of this assertion, I may mention that my esteemed friend, Mr Gillon of Wallhouse, mentioned to me some years ago, when member for Falkirk, &c., that his constituents, who almost all obtained their franchise under the Reform Bill, were, in general, opposed to universal suffrage. The advocates of universal suffrage are opposed to household suffrage, as they allege that thousands of respectable individuals who live in lodgings would thus be excluded; and that, even a man of £5000 a-year, if he were to give up his own house for a time, and retire to a furnished one, would lose his vote. The vote would thus be in the house and not in the man, and would resemble the case of the American citizen before the introduction of universal suffrage into that country, who, being possessed of an ass, had a right to a vote; but having sold the ass on his way to vote, was told that he had lost his vote; so that he declared that the vote must have been in the ass and not in him. Universal suffrage, on the other hand, is based on the principle that rights belong to man

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and not to property; and, whilst it would not add to the constituency created by household suffrage above one-sixth, it would, they maintain, once for all settle the question.

It is difficult, however, to say whether universal suffrage, if introduced into Britain, would be productive of good or evil, as the accounts of its operations in the United States of America, almost the only country where it has been introduced, are so very conflicting. Flint seems to think that it produces a very beneficial effect on the manners of the Americans, as, in his Travels in that country, he says, "I am almost of opinion, that the more extended bonds of American society are much strengthened by universal suffrage, and the frequent recurrence of elections; for this reason, that the constituents being too numerous, and coming too often in their way to admit of their being bought over, expectants are obliged to depend on their popularity alone. It is only from these causes that I could account for the affability of manners, which are almost universal."

But, on the other hand, a gentleman of Saratoga, in the county of New York, writes thus to his friend at Aberdeen, on 31st May 1843:—

"As to American news, your own papers will, no doubt, give you sufficient—plenty of politics. Half a-dozen candidates for the Presidency in the field. Plotting, manœuvring,

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squabbling, among the principal weir-pullers—whigs, locofocos, Tylerites—the beauty of universal suffrage—perpetual tumult and fermentation in the "sovereign" mass—but I give myself no trouble about the matter (though a full-blood whig) farther than putting in my ticket at the polls, along with my hired man, and a load or two of beggars, brought from the Poor House, by the overseer of the poor, to vote, according to his orders, under threat of hard usage. Pray, how does your £10 qualification work? I do not know your politics; but, judging from what I see here, I should say that qualification is quite low enough. Universal suffrage here has created the most extensive field for bribery, perjury, corruption and fraud, of every description, that ever the world had the benefit of before. Thousands here, who voted for the abolition of the trifling qualification, (when the constitution of this State was amended some years ago, and universal suffrage established,) now repent it bitterly. That trifling qualification was just enough to keep back the dregs and scum of society from the polls, which scum and dregs now bid fair to command the government. But then repentance is vain: it was easy to vote it away; but it will never be voted back, or recovered, without blood. Therefore, I say, do not lower the £10."

In regard to the mode of voting, it is evident

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that we must ultimately come to the ballot. Secret voting is, no doubt, an evil, but open voting has been found to be infinitely more so; and of two evils we are desired to choose the least. It is absolutely necessary that every man should be enabled to deposit his vote without fear of loss on the one hand, or hope of gain on the other. Nothing, it is generally admitted, can effect this but the ballot; and one grand feature of it is, that it has been found by experience to work under all sorts of constituencies—with the intelligent and uncivilized—with a large as well as with a small constituency. The advantages, indeed, of the ballot, may be stated in the four following reasons:—

1*st*, It would secure from intimidation,—of landlords over tenants,—of employers over shopkeepers,—of an unruly mob over peaceable voters, by preventing them from coming forward to the hustings, by threats of personal violence.

2*d*, It would prevent bribery. You can have no reliance on any one who will take a bribe, when you have no means of knowing how the said bribe will operate, or whether it will operate at all. The system of bribery will, therefore, soon come to an end.

3*d*, It would exempt a man from the supposed necessity of voting from private friendship, for one who, in his own conscience, he does not believe the fittest member. I believe A is the

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best qualified, but I am in habits of daily intercourse, perhaps am related to my neighbour B, and cannot, therefore, decently get over voting for him, without doing a disobliging thing, and interrupting, perhaps destroying altogether, an intercourse from which we both derive much comfort. How many instances of this do we not see in every keenly contested election?

4th, It would prevent undue and importunate solicitation. Were this mode of voting established, candidates would soon come to rest satisfied with publicly declaring themselves, leaving it to the silent operation of the ballot to be discovered who, in the estimation of the electors, is the fittest man. In those States of America where it is established, there is little or no canvass. It is held a sort of affront for a candidate to solicit a voter. Any one who does, injures his cause, and generally loses his election.

The result, on the whole, would be a prodigious saving of expense, trouble, bustle, confusion and annoyance of all sorts. A contested election would present little or no interruption to ordinary business, and that candidate necessarily would be returned, whom the majority of the electors, at the time, thought the fittest for the situation.

What is said against all this? It is cowardly. It is radical. It is *un-English*. Now, these are

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all words—and, with the exception of the last, perhaps, (which is scarcely recognised as such) nothing but words. As to its being *un-English*, —the Bank of England,—the English East India Company,—the whole of the clubs, consisting of high-born and high-spirited Englishmen, regulate admission by ballot. It would puzzle any one to explain how a practice, which has been found fair and proper for securing good members to these societies, should become base and dastardly when applied to securing good members for the House of Commons.

The aristocracy of Great Britain will probably oppose the ballot even more than the extension of the suffrage, as it would put an end, in some measure, to the influence of mere wealth, while it would add much to the weight of personal character, and of talent. It would thus push the aristocracy from their stools of idleness, or frivolous pursuits, and force them to acquire useful knowledge, otherwise they would be distanced as completely by those whom they at present despise, as a cart bawsey by an arabian; besides running the risk of being addressed as in the words of the prophet Jeremiah, "If thou hast run with the footmen and they wearied thee, then how canst thou contend with horses? and if in the land of peace wherein thou trustedst they wearied thee, then how wilt thou do in the swellings of Jordan?"

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As to the ballot being denominated cowardly, and consequently un-English, because done in secret, there can surely be nothing improper in avoiding collision with prejudiced people, when no duty is thereby infringed. Religious people, who wish to escape from the imputation of intolerance, and who have formed exclusive opinions of their own on the subject of religion, do not openly rail against other sects, though they firmly believe that those sects are doomed to everlasting, and inevitable destruction. And why should people, in matters of politics, be called upon to proclaim their feelings and tenets at the market-cross, when by abstinence from speaking, ill blood and much evil of every kind may be avoided? As to the imputation of being cowardly, it comes with a bad grace from those who have introduced it into their own clubs, partly with the view, no doubt, of saving them now and then from the risk of a duel. Lastly, the aristocracy of Great Britain, in telling the people that it would do them no good, resemble the schoolboy who persuaded his school fellow that the cake was dirty, in order that he might have it all to himself. But the people will be apt to say—why, then, have you introduced it into all your clubs and societies? If you have adopted it as a safe and effectual remedy against the admission of bad, or even disagreeable members, and have deemed it expedient, that those excluded should

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not know their friend from their foe, surely it becomes a matter of infinitely more importance to us, if it tend to preserve ourselves and our families, perhaps from misery and ruin. If, therefore, it has benefited you, it must benefit us, as what is good for the parson is said to be good for the parish.

There are some who maintain that the ballot will do no good, inasmuch as it will generally be known how a man votes, as he will no doubt tell it to some one or other. But what law on earth can preserve us from our own acts and deeds? We may endeavour, for example, by the fear of punishment, to prevent a man taking away the life of another; but if he be determined to commit suicide, and take away his own life, how can any law prevent that? If the law put it in every man's power to keep a secret, which it is of importance to his welfare should be deposited in his own breast, this is all that the law can do. But if a man choose to proclaim his vote at the market cross, or on the house top, he will be at perfect liberty to do so, and the community at large will probably not be much influenced by the communication, as he must evidently have been a poor vain simple idiot before, and will be but a poor vain simple idiot still.

It is now admitted, even by the English House of Commons itself, that there has been more bribery and corruption since the passing of the

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Reform Bill in that country, than there was before; and there seems to be no remedy for this monstrous evil but the ballot. Indeed, it would appear that nearly the one-half of the time of that house, during the session of 1842, was taken up with election cases; and bribery was proved to have been practised in many of them so openly, that the price of a vote was as well known as that of a pound of cheese. I remarked that Mr Redington, the member for Dundalk, had stated in his place in the house during the course of that session, that in the town of Sudbury in Suffolk, fifty-four miles from London, the money divided amongst the voters of that town, who were chiefly weavers, amounted, at the election of 1835, to nearly thirty-five pounds a head—a kind of godsend to a parcel of poor weavers. I am not disposed, however, to impute much blame to them, as they must be looked upon merely as the creatures of unfavourable circumstances, placed by providence in a situation, which rendered the temptation too great for people struggling with poverty to withstand. They would probably view it as a case of necessity, and console themselves with the reflection that necessity has no law.

And in answer to those who seem to think that even the ballot will not put an end to bribery, it is but proper to shew that the intelligent weavers of Sudbury entertained, at all events, a

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very different opinion; for the member for Dundalk stated, in the course of his speech on that occasion, that, "when the brother of one of the candidates, at the general election in January 1835, addressed the electors, he said to them in his speech, that his brother was a determined supporter of the vote by ballot, in order to put an end to bribery and corruption. There was an immediate cry all over the room, 'no ballot, no ballot!' They saw at once the effect of the system."

In the fifteenth chapter of the Book of Job there is the following denunciation against bribery:—

"Let not him that is deceived trust in vanity; for vanity shall be his recompence.

"It shall be accomplished before his time, and his branch shall not be green.

"He shall shake off his unripe grape as the vine, and shall cast off his flower as the olive.

"For the congregation of hypocrites shall be desolate, and fire shall consume the tabernacles of bribery."

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CHAPTER VIII.

Advantages derived by Great Britain from New South Wales—Dreadful Depression in the Colony during the three years preceding 1845—Rate of Wages—How regulated—Pernicious effects of Strikes and Combinations—Socialism in Sydney.

GREAT Britain has derived two great advantages from her penal colony of New South Wales. *First*, from the saving of the expense attending the maintenance of such a large body of prisoners; and, *second*, from the market which has been thus opened up for her goods. The annual expense of maintaining a convict in the penitentiaries in England is twenty pounds. Now supposing that the whole convicts in that colony had been banished only for seven years instead of fourteen, or for life, as thousands have been, then by multiplying first, the twenty pounds by seven for the number of years, and that again by 100,000, the total number (in round numbers) of convicts transported to that colony, you will find that this country has been a gainer to the

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extent of at least £15,000,000 sterling, after making allowance for every possible expense attending the system. And when we consider, moreover, that by this means we have already opened up a market for our goods, to the enormous extent, keeping in view, of course, the limited population, of 2,000,000 annually, it must certainly be considered by far the best speculation that Great Britain ever made, and that without making any allowance for the wool which it now supplies, already amounting to 20,000,000 pounds weight annually, and increasing so rapidly, that it will soon be sufficient for the whole consumption, not only of the mother country, but of the world. Indeed it is almost impossible to over-rate the advantages which Great Britain has derived from her colonies in general, and from Australia in particular. Nearly the whole markets of the world are, in a great measure, shut against our goods, by the imposition of high tariffs, whereas our colonies furnish us with no less than four-fifths of the commerce which we now actually enjoy.

Professor Merivale, in his celebrated lectures on "Colonization and Colonies," delivered before the university of Oxford during the three years preceding 1841, publishes at the end of several of his lectures an appendix of statistics, exhibiting, in a simple form, some of the more striking details connected with colonial wealth, industry, trade and population. The following

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table, shewing the amount of British manufactures exported to different countries in 1838, will shew what a wonderful position Australia holds in proportion to her population:—

A Table, shewing the Quantity of the principal British Manufactures exported to different countries in 1838.

	Population. (In round numbers.)	Total manufactures. (Declared Value.)	Proportion per Head.		
North American Colonies,	1,400,000	£ 1,992,457	£ 1	s. 7	d. 0
West Indies,	1,000,000	3,393,441	3	8	0
Cape of Good Hope,	150,000	623,323	4	3	6
Australia,	130,000	1,336,662	10	5	0
Mauritius,	90,000	467,342	5	3	6
		7,813,225			
France,	33,000,000	2,314,141	0	1	5
Holland and Germany,	36,000,000	8,548.329	0	4	10
Russia,	55,000,000	1,663,243	0	0	7
Portugal,	3,800,000	1,238,727	0	6	7
Italy,	21,000,000	3,076,231	0	2	10
United States,	15,000,000	7,585,760	0	10	0
Brazil,	6,500,000	2,606,604	0	8	6

You will see from this, that while France only takes of our manufactures at the rate of 1s. 5d. *per* head, and Russia only 7d., that Australia takes £10, 5s., and were its population 30,000,000, as that of Great Britain and Ireland, instead of 200,000, it would consume at that rate upwards of £200,000,000 annually.

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Of Australia, Professor Merivale states, (Lecture IV. p. 117,) that "it is the land of promise to modern emigrants, and the most remarkable field of British industry, out of the limits of Britain, at the present day."

During the three years preceding 1845, a greater stagnation in every department of trade, and a greater depreciation of every kind of property took place than was ever known in the history of that or of any other colony on the face of the globe. Sheep, which in the year 1837 had been selling in Sydney at £3 *per* head, had fallen in 1843 to 2s. 6d., cattle to 10s. 6d., and horses to 35s., while every description of property became almost unsaleable, and by the year 1844, nine-tenths of the respectable merchants and shopkeepers in Sydney, and stockholders in the country had become insolvent. 1500 bankruptcies occurred during these three years in New South Wales, with £3,000,000 sterling of liabilities, and the dividend they paid did not average one shilling in the pound. This arose, no doubt, in too many cases, from over-speculation and extravagant living, as mankind in general are too apt to look to the success of the few, and to overlook the failure of the many. The young man, for instance, who enters the army in search of rank and renown, has his eye constantly fixed on the commander in chief, surrounded by his *aides des camps*, and

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moving battalions by his nod, and seldom thinks of casting his eyes into the ditch which holds his slaughtered companions. So it is with merchants. They see those whom nature intended to drive a dung cart, or sweep the streets, raised to opulence by some lucky speculation; and they can see no earthly reason why they may not do the same, never looking for an instant to the thousands who fail in making the attempt.

There are few countries where, upon the whole, the working classes can live so comfortably, and, at the same time, lay past so much money, as in New South Wales. The average rate of wages at present may be stated at five shillings *per* day for mechanics, and four shillings for labourers; whereas butcher's meat is only twopence a-pound, and bread sixpence the quartern loaf, while excellent tea can be had at one shilling and sixpence the pound, and raw sugar for threepence. House rent, which, in 1841, was ten shillings *per* week, is now only the the one-half; so that every sober, industrious mechanic, with an average family, may easily lay past £20 a-year, and live well at the same time.

Sir George Gipps, the late governor of New South Wales, bears testimony to the truth of this assertion, in the following extract from one

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of his despatches to Lord John Russell, dated 9th September 1840 :—

" As a proof of the condition of the labouring classes in New South Wales, and of the advantages which persons may reasonably expect to share in by emigrating to its shores, I would beg to refer your Lordship to the evidence of the accountant of the Sydney Savings' Bank, who informed the committee of the Legislative Council, that during the present year, (1840,) the average number of new depositors is 150 *per* month ; that nineteen depositors out of every twenty belong to the labouring classes ; and that the present amount of deposits (exclusive of those of convicts) is £127,000.

" There may be some newer colonies," adds Sir George, " in which, owing to the destitution in them of all comfort, wages may be higher than in New South Wales ; but I hesitate not confidently to assert, that there is no country in which labourers living in equal comfort can put by so large a portion of their wages."

Though, of course, it is impossible to regulate the price of wages, as they are affected by so many different circumstances, yet we may lay it down as a general rule, that high wages are more advantageous to every community than low ones.

" The English labourer," says Chambers, " is the best fed in Europe, because he has

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established his taste at a high standard—he must have good solid food, and, particularly, good wheaten bread. All depends on choosing and adhering to a certain standard of living. The Scottish labourer's standard is comparatively low. He is contented with oatmeal porridge, and a sloppy kind of broth, which is little better than water and vegetable extract. Attaining this standard, he marries, and so perpetuates this low degree of taste. The Irishman chooses a much lower standard than either. He is satisfied with potatoes, and on the same principle brings other beings into the world who care for nothing better. Money wages arrange themselves according to these respective standards—the Englishman is paid at a rate which enables him to purchase bread, tea, and bacon; the Scotchman gets enough to buy porridge and the aforesaid vegetable extract; and the Irishman receives a poor pittance barely sufficient to keep him in potatoes. Some persons imagine that the Englishman receives high wages because he lives in a rich country; but this is a complete delusion. If the Englishman were to marry when he could get potatoes only, the wages of labourers would soon be as low as they are in Ireland, for there would soon be as great redundancy of population, and, in the competition for employment, wages would necessarily fall. The rate of wages has no reference to the

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richness or poorness of a country, but exclusively depends on the supply of labourers, and the demand for them."

M'Culloch says on this subject:—

"It is of equal importance to the peace and good order of society, as to the comfort and happiness of individuals, that the standard of natural wages should be maintained at as high an elevation as possible. The higher the notions the labouring classes entertain of what is necessary for their comfortable subsistence, and the greater the number of their artificial wants, the more secure is their condition. When a revulsion takes place in any of the great departments of industry, or when the crops fail, the labourer who has been in the enjoyment of a considerable amount of luxuries, can, by parting with them, still obtain a sufficient supply of necessaries. But he who is divested of all artificial wants, who cares neither for comfortable clothes nor comfortable lodging, and who is satisfied if he has as many potatoes as will enable him to subsist and continue his race, can make no retrenchment. Such a man cannot part with what is convenient to obtain what is necessary: His subsistence having been reduced to a *minimum*, famine must unavoidably follow any reduction of its quantity." This is strikingly exemplified in the state of Ireland

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at the present moment, from the failure of the potatoe crop in 1846.

" Have the *low* wages of the people of Ireland, Poland and Hindostan (adds M'Culloch,) made them industrious? or the *high* wages of the Americans, the English and the Hollanders, made them lazy, riotous and profligate? just the contrary. The former are as notoriously and proverbially indolent, as the latter are laborious, active and enterprising. The experience of all ages and nations proves that high wages are the most powerful stimulus to unremitting and assiduous exertion, as workmen have thereby not only a considerable command over the necessaries and conveniences of life, but also a considerable power of accumulation. Every individual placed under such circumstances *feels* that he derives a direct and tangible advantage from the institution of the right of property, and that otherwise he should not be able peaceably to enjoy the fruits of his industry; and he consequently becomes personally interested in its support, and in the support of the public tranquillity. It is not when wages are high and provisions abundant, but in periods when they are low, and the harvest less productive than usual, that the manufacturing and thickly peopled districts are disturbed by popular clamours and commotions."

" The liberal reward of labour," says Dr Adam Smith, " as it encourages the propagation,

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so it increases the industry of the common people. The wages of labour are the encouragement of industry, which, like every other human quality, improves in proportion to the encouragement it receives. A plentiful subsistence increases the bodily strength of the labourer; and the comfortable hope of bettering his condition, and of ending his days perhaps in ease and plenty, animates him to exert that strength to the utmost. Where wages are high, accordingly, we shall always find the workmen more active, diligent, and expeditious, than where they are low; in England, for example, than in Ireland; in the neighbourhood of great towns than in remote country places. Some workmen, indeed, when they can earn in four days what will maintain them through the week, will lie idle the other three. This, however, is by no means the case with the greater number. Workmen, on the contrary, when they are liberally paid by the piece, are very apt to overwork themselves, and to ruin their health and constitution in a few years."

The colony of New South Wales has been hitherto comparatively free from those two most destructive enemies to the welfare of the labouring classes, namely, strikes and combinations. It never seems to occur to the promoters of violent combinations for higher wages among the working-classes in Britain, that the employers

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have any reasons for not yielding to their demands, beyond a mere desire of getting work done as cheaply as possible, in order that they may have the greater profit to themselves. A more liberal consideration shews the case of the employers to be very different. In all departments of trade, they are exposed to rivalry both at home and abroad. They are pressed upon, in various respects, to meet the demand for low-priced goods, and to compete with each other in the common market of the world.

Passing over the extreme tyranny which all combinations bear in their very front, it is of importance to shew that they are calculated to prove injurious to the actual promoters of them *in the long run*, as, whenever an employer feels that he is placed at a disadvantage by the constrained payment of an over-high rate of wages, he either proceeds with his concern to some other place, where he can be more secure, and work to advantage—or he endeavours to supersede manual labour by the introduction of machinery—or he ceases to labour altogether, and lives on the fruits of his former industry. The populous towns of Manchester, Ashton, &c., in Lancashire, owe a great portion of their prosperity to the early destruction of machinery at Blackburn and other places. Norwich, once a great seat of the camlet manufacture, has been in a great measure stripped of that branch of trade

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by certain towns in Yorkshire, where the manufacturers were better protected from violence; indeed, if it had not been for "strikes," Norwich would at this day have been one of the largest manufacturing towns in the kingdom. Similar injuries have been done to Sheffield and many other towns. In 1820, a Glasgow cotton manufacturer emigrated from that city, and established a factory at New York, that he might conduct his business free from those interruptions to which he was subjected in this country from the strikes among his men.

It may certainly be laid down as an axiom or first principle, that the rate of wages which a master can give must depend on the price which he can obtain for his goods; and, as all the combinations in the world cannot alter that principle, they, consequently, cannot influence the capacity of the master to give higher wages. "If," says M'Culloch, "the market is glutted with labour, wages will be low, to whatever extent combination may be carried; and if, on the other hand, it is undersupplied with labour, wages will be high, though combination should be altogether unknown. The competition of capitalists will always secure to the workmen the entire wages, that, under all the circumstances of the case, they can obtain; if, therefore, they trust to combinations to raise their wages above their natural level, they are trusting

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to what can have no such effect, and are most certainly deceiving and deluding themselves. Wherever industry is free, wages, generally speaking, are always proportioned to the capital that is to feed and support the labourers, compared with their number; and if they attempt, by adding violence to their combinations, to elevate them above this impassable limit, one of two things must follow—they will either draw on themselves the well-merited vengeance of the law, or they will bring about their permanent degradation, by forcing the transfer of that capital, from which alone they derive their entire subsistence, to other countries where it will be better protected."

There cannot be a doubt that France, Germany, Belgium and Switzerland, are indebted for the rapid strides they have made in manufactures, partly to the strikes and combinations in this country; and that the manufactures of America are in so flourishing a condition, not only from the frugal and industrious habits of the manufacturing population in that country, but from strikes and combinations being there hitherto unknown. Wherever danger is, there wealth disappears; and wherever it cannot be employed in perfect security and with profitable results, there, assuredly, it will not remain. Wherever wages are unduly depressed in any branch of industry, they will be raised to their proper level

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by the mere competition of capitalists, without any combination on the part of the workmen.

It must also be kept in view, that the workmen always suffer more from a *strike* than their masters. It is, indeed, true, as Dr Smith has observed, that, in the *long run*, they are as necessary to their masters as their masters are to them; but this necessity is plainly far from being so immediate. The stock and credit of the master are in almost every instance infinitely greater than the stock and credit of his labourers; and he is, therefore, able to maintain himself for a much longer time without their labour, than they can maintain themselves without his wages. In all old-settled and fully-peopled countries, wages are seldom or never so high as to enable labourers to accumulate any considerable stock; and the moment their scanty funds are exhausted, there is necessarily an end of the combination, and instead of dictating terms, they must accept those that are offered to them. Thus, it invariably happens, that a combination for an improper object, or to raise wages above their proper level, *cures itself*, and brings its own chastisement along with it.

Mr Samuel Holme of Benson Street, Liverpool, one of the most extensive builders in that town, employing several hundred men, published, in March 1846, an address to his workmen, on account of a "strike" that occurred there, and,

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indeed over the whole of that district, during that year, wherein he says,

"Wages are regulated by laws which cannot be permanently altered, either by employers or workmen. They even fluctuate in different localities. If times be good, and labour be in demand, high wages will always be paid. If times be bad, and employment be scarce, labour becomes abundant, and it is difficult to maintain the previous rate. If the price of labour in any particular branch becomes greater than the community can afford to pay, capital, being of a moveable nature, can find other investments either at home or abroad; because no man will, knowingly, invest his money in that which will not yield him a fair and equitable return. If a house is to cost £1,200, where it ought only to cost £1,000, the house, in many cases, will not be built—a man can do better with his money. If wages rise beyond a certain level, which cannot be fixed either by masters or men, but which are regulated by financial matters—by commercial changes—by the produce of our soil, our looms, and a hundred other circumstances acting in unison; then they are like fluids which are forced up beyond their natural level, and both require an external force to keep them in their unnatural position. Withdraw the pressure, and they soon find their level.

"It is a great mistake to suppose that a master

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tradesman profits by low wages, or suffers when wages are raised. *It is the public that pay the wages, and not the master tradesman.* If higher wages than 26s. a-week are now to be paid, it will indeed operate as a loss to us so far as our present contracts are concerned; but only to that extent, because, not only ourselves, but every body else must have increased prices for all future work. But, in such case, you may rest assured that the *public*, whom no Club or Trades' Union can reach, will soon diminish the quantity of employment; and, instead of mechanical labour being at a premium, it will, in a short time, be at a discount.

"Trade Clubs," Mr Holme adds, "have neither feeling nor sympathy. On the contrary, they destroy both, and, while they point out an employer as an oppressor, they lay prostrate the independence of every workman; they subjugate his will; domineer over his person; chain him in mental slavery; and, amidst the light and liberty of the 19th century, they neither allow a man to think nor act as he pleases. It is ridiculous for us to talk of 'free trade,' while such monopolies are tolerated. A trade club is a monopoly of the most mischievous description when it operates by coercion, actual or implied."

I am sorry to say that, perhaps, in no part of the world is Socialism to be met with in more active practical operation than in Sydney. Probably

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one-seventh part of the married men there have deserted their own wives and are living with the wives of others, or with single women, whilst the married women, when deserted by their husbands, generally change partners also.

Mr Owen, the founder of the system, seems to have promulgated to the world his views on matrimony, partly in order to promote happiness, a most desirable object, no doubt, when it can be attained, and partly from the laudable motive of preventing perjury—a sin, which he alleges, mankind are apt to commit, when, under the marriage vow, they solemnly promise and engage to love, to the end of life, a being who is liable to perpetual change, and whom, perhaps, before a year expires, they may actually hate and detest. In his address of 29th April 1839, he says:—

"The priesthood of the world have been the sole cause of making the natural intercourse between the sexes to be considered a crime, or in any degree immoral: and by this error, made with a view to their own advantage, they have upon this subject more especially deranged the intellects of the human race, and produced endless bodily and mental disease, deception, vice, crime and misery.

"The priesthood might have fixed upon any other natural propensity of humanity, such as hunger, thirst, sleep, walking, or of any of the senses, and taken them under their control or direction, and made it to be considered a crime

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or immoral to use any of these propensities or senses as nature directs.

"It is not possible," he adds, "that laws or regulations could be devised to make the intercourse between the sexes more injurious to society, or to create more misery to individuals, than is effected by the laws of Great Britain; and those who have given much attention to this state of human irregularities are impressed with the conviction, that there is, in consequence of these laws, far more promiscuous intercourse between the sexes, of the very worst description, effecting more injury and misery to mind and body, than takes place in any other nation in the world."

He asserts that the experience of the world has proved that affection is much more disinterested, pure and durable without than with the fetters of legal bonds; and mentions, that under his plan, the union between the sexes would be always pure and chaste, as it would be an union of affection only, and continue so long as that affection exists. But as he considers it injurious, in every point of view, that the connexion should continue when the affection has ceased, he stipulates, that when such an untoward event takes place the union must cease also. He proposes, therefore, that the union and disunion of the sexes should takes place under the following remarkably simple regulations:—

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" Persons having an affection for each other, and being desirous of forming an union, first announce such intention publicly in our Sunday assemblies. At the end of three months, if the intention remain, they make a second public declaration, which declarations being registered in the books of the society, will constitute their marriage.

" In our new world, marriages will be solely formed to promote the happiness of the sexes, and if this end be not obtained, the object of the union is defeated. Should the parties, therefore, after the termination of twelve months, at the soonest, discover that their disposition and habits are unsuited to each other, and that there is little or no prospect of happiness being derived from their union, they are to make a public declaration as before to that effect; after which they return, and live together six months longer, to try if their feelings and habits can be made to accord so as to promote happiness, at the termination of which, if they still find their qualities discordant, they make a second declaration, both of which being duly registered and witnessed, shall constitute their legal separation; and the parties may, without diminution of public opinion, form new unions more suited to their dispositions.

" As all the children of the new world will be trained and educated under the superintendence

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and care of the society, the separation of the parents will not produce any change in the condition of the rising generation. Under these arrangements, we have no doubt a much more virtuous and happy state of society will be enjoyed than any which has existed at any time, in any part of the world."—*See Address delivered by R. Owen, at a great public meeting, on the 1st May* 1833. CRISIS, vol. 2, page 141.

I am afraid the Sydney people have not attended altogether to those simple regulations of the founder of the system, nor waited sufficiently long to see if their lost affections would revive, but, except in these particulars, I believe there is no part of the world where socialism in the married state exists in greater perfection than in Sydney.

Mr Owen seems to have founded his theory partly on the Jewish system; as in the 21st chapter of Deuteronomy it is thus written:—

"When thou goest forth to war against thine enemies, and seest among the captives whom thou hast taken a beautiful woman, and hast a desire unto her that thou wouldest have her to thy wife: Then thou shalt bring her home to thine house, and thou shalt go in unto her and be her husband, and she shall be thy wife. And it shall be, if thou have no delight in her, then thou shalt let her go whither she will."

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CHAPTER IX.

State of Literature—Cunynghame's Amusements—Annual Procession of Teetotallers—Civil and Military Juries—Disadvantages attending their being required to be unanimous—Speech of Jenkins on the Scaffold—Feelings that arise on witnessing an Execution in a distant land.

LITERATURE of every kind is at a very low ebb in Sydney—the great mass of the people reading nothing but novels and romances, of which Mr Cobbett said that one would be infinitely better employed counting the trees. The Rev. Dr Lang was the only author of eminence I met with, and his kindness I had often occasion to experience. I met also a Mr Cunynghame, originally from my native county of Linlithgow, in Scotland, who had been a resident there for twenty years, and had composed a few pieces of poetry, all in the Scottish dialect, which he styled "Cunynghame's Amusements." As he politely presented me with a copy, I shall here insert one or two extracts from them, in order that it may be seen how simple these amusements were.

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In his ode to the Queen he describes her Majesty (whom he calls "Wee Victoria") as the bonniest lass that ever Britain saw, though he had never seen her himself; and mentions that he had "*sax*" sons, all of whom he would shoot if they did not defend her cause,—a striking proof both of his loyalty and parental affection.

He seems to have had a wonderful attachment to his first wife, and her personal attractions seem to have been of the first order, as he says of her—

"Was there ever such a beauty?
To find her like none's mad to try;
Oh, storied traveller, did you e'er see
In any one such symmetry.
But ah! my Betsey's gone for ever;
She again on earth will ne'er be seen;
Death from my bosom did her sever,
On sixth January eighteen hundred and fifteen."

Her death, however, seems not to have affected his constitution much, as he is one of the stoutest men I ever saw. But though he has already survived her thirty years, and is likely, so far as I could judge, to survive her thirty more, he looks forward with rapture to the pleasure of meeting her again, and hopes that that time will soon come; as, in the concluding verse of the melody, he says,—

"I hope the time will soon arrive,
When to my Betsey I shall go;
For none on earth would so much strive
To please her Robert—No—no—no."

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Indeed his first wife and Miss Strang seem to have been, in their day, the two greatest beauties in Leith, and in one of his poems to their memory he says,—

"When you saw the ane you saw them baith,
For seldom ane was met her lain,—
Betsey Ogilvy and Menie Strang,
Nae mair like them than night's to day
Were the lasses named in Scottish sang—
That's Betsey Bell and Mary Gray."

Our worthy bard, though a remarkably temperate man, was not exactly a teetotaller, and was an ardent admirer of my friend Mr Cadell's ale, whose hospitality at Windsor, in that colony, I beg to acknowledge. To those mothers, in that country, who are tired suckling their children, the following would, no doubt, be considered a very valuable receipt, and a remarkably simple plan of weaning them:—

"Ye mithers wha hae barnies set,
Sucking in your lap,
Wi' Cadell their lips never wet,
Or they'll forsake the pap."

Our jovial companion seems to have had no dislike either to a glass of whisky toddy, particularly when in company with those whom he liked. The following are the first four lines of a poem, "written on meeting wi' twa friends," with which I shall conclude these original effusions of the poetic muse.

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" The happiest night that e'er I spent,
Ower a glass o' whisky toddy,
Was ae' night at the ' Cottage o' Content'
Wi' Wattie Scot and ane Hugh Brodie."

I may mention, that I had the good luck, like my amiable friend, to meet Mr Hugh Brodie, " ower a glass o' whisky toddy," at Mr Aitkenheads, the jolly landlord of the Emu Inn, on the evening previous to my leaving Sydney—and from his partner Mr Craig, in particular, I experienced a remarkable degree of civility, a quality not over abundant in that colony. They are both Scotchmen, and the most extensive builders in Sydney, where they are universally respected.

The natives of New South Wales, that is, those born in the colony, of white parents, are, upon the whole, a more sober race of people than their ancestors. They have a tee-total society in Sydney, and an annual procession through the streets, when some hundreds attend, and a dinner afterwards. The publicans in the town say that it is one of the best days in the year with them. One woman was pointed out to me, in the last procession which I saw, who, though approving very much of the society, gets drunk almost every night, but claims the privilege of walking in the procession, from being a teetotaller in the forenoon, as she never tastes till after four o'clock —a very proper time to begin. When drunk, she calls them a parcel of teetotums, but

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expresses contrition when she is sober, which saves her from being expelled the society.

Mr and Mrs Hall bear a pleasing testimony, in their late work on Ireland, to the beneficial effects of the temperance movement in that country. They had only seen six drunk persons in three months, and state, that there had not been a single execution in the county of Cork, which contains one million of people, for six years.

Mr Delaven, president of the New York State Temperance Society, and the American Temperance Union, when attending the annual assembly of the Scottish Temperance Union, held in Edinburgh on 12th June 1839, stated to the meeting, that after traversing nearly every part of Europe, he had seen more drunkenness in Edinburgh alone, than in all the capitals of the continent combined.

Temperance, both in eating and drinking, is certainly highly commendable, and tends much to promote health and long life. The Chinese erect triumphal and honorary arches to the memory of those who live a century; as they consider it impossible that any could attain that age, except those who had led a sober and virtuous life.

In a work which I lately perused, I find it stated, that out of a list of 145 persons who had lived above 120 years, sixty-three belonged to England and Wales, twenty-three to Scotland,

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twenty-nine to Ireland, and thirty to other countries. Of these, there were

84	who lived to betwixt		120 and 130
26	,,	,,	130 and 140
7	,,	,,	140 and 150
3	,,	,,	150 and 160
2	,,	,,	160 and 170
3	,,	,,	170 and 185

And in the year 1835 a person died in Polotsk, a town in Lithuania, formerly belonging to Poland, but now to Prussia, who attained the wonderful age of 188 years.

Though those who are of a cheerful and contented disposition—who are descended of long lived parents—of moderate size—and well proportioned, are in general the longest livers, yet there are two exceptions mentioned, one of Mary Jones, who died in 1703 at Wern in Shropshire, aged 100, who was only two feet eight inches high, besides being deformed and lame; and James Macdonald, who died in 1760, near Cork, aged 117, who was a giant, being seven feet and a half in height.

The natives of New South Wales are in general tall and slender; and it is recorded as a favourable trait in their character, that there never, as yet, has been an instance of a single individual amongst them who has committed any crime that has been punished with death.

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Owing to the modification in the criminal code that has taken place of late years in England, the judges of New South Wales, who profess to follow the English law, have modified its severity in that colony also, so far as the peculiar character of the population will admit. The absurdity, however, of the English law, in making twelve men agree in their verdict, when you can scarcely get two men to agree about anything else, is illustrated in several striking cases adduced by Mr M'Arthur. In one case where guilt had been clearly proved, one of the jurors held out against all the rest, and declared that he would rather eat his shoe than join in a verdict of guilty. The rest of the jurors brought this circumstance before the judge, who told them there was no remedy. They were, accordingly, again shut up, and appeared shortly afterwards with a verdict of acquittal. The idea of a man's guilt or innocence depending on the stomach of the juryman which can hold out the longest without food, is more worthy the inhabitants of Otaheite than of Old England. In Scotland there is a jury of fifteen, who are not required to be unanimous,—the minority having to yield to the majority. Indeed, that wise people seem to think that you might as well expect fifteen game cocks to agree as fifteen individuals; so that such a thing could not have happened in Scotland, as a guilty man escaping, because eleven

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men, who dreaded starvation, had thought proper to yield to one who had made up his mind to eat his own shoe.

Juries were entirely military for the first forty years after the colony was founded,—being composed of seven officers selected from the different regiments stationed there, who required to be unanimous also. After the civil jury was introduced, prisoners had the option of being tried by either, as both were in attendance, though the military jury has been long since discontinued. Previous to that event a case occurred of a noted cattle-stealer, who had been repeatedly tried for that offence, but had always escaped, and who, on being again put upon trial, chose the military jury. The case, it is said, was clearly proved, and six of the officers (of the 39th regiment) agreed to bring in a verdict of guilty; but one of them, Lieutenant Farmer, could not be prevailed on to join in the verdict. They went back to the court, and Judge Dowling, seeing they had not brought in their verdict, said that he would be happy to read over his notes again, in order to assist them, on which one of them stated that they were unanimous, with the exception of one of their number. Upon this, Lieutenant Farmer, who had on a cloak, drew it close around him, and said that he would remain there seven years rather than find the man guilty. They had no alternative but to retire

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again, and it being the dead of winter, and very cold, there being no fire in the room, and no one happening to have a cloak but himself, they soon made up their minds to join in a verdict of acquittal, rather than be starved to death. During the time the double jury lasted, it was remarked that females generally chose the military jury, expecting, no doubt, to find favour at their hands, from their well-known attachment to the sex. The common jury were chiefly chosen by those who knew that the evidence would be of a contradictory nature, as they calculated that in that case the chances of one out of twelve not agreeing, was greater than of one out seven.

The number of executions in New South Wales, owing in part, no doubt, to the modification of the code, has decreased much of late, as, during the seven years prior to 1836, the average annual number was about forty, whereas, for the seven subsequent years, they amounted only to ten or twelve. The executions in England in the year 1838 were only six; and had the population of New South Wales been equal to England, the executions, at the rate at which at one time they were carrying on, would have amounted to 6000 annually.

During the period of my residence in the colony there were twenty executions. I saw six executed at one time for the murder of Mr Graham, of which I gave an account formerly.

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One elderly man I saw executed for an alleged rape upon a girl seven or eight years of age. The girl was an illegitimate daughter of a female convict named Mary Ryan, and the poor sufferer had been very kind to her, and had taken a sort of charge of her. The evidence was exceedingly slight, but he was brought in guilty. On the scaffold he declared his innocence, asserting that he was a murdered man, and that was the general opinion in Sydney. I had some little acquaintance with him, as he was occasionally employed by my esteemed cousin, Charles Broughton, and a more quiet, civil man, I never knew.

At one time the whole prisoners confined in the jail were turned out to witness the executions; but this was discontinued in consequence of a speech delivered to them from the scaffold, by one Jenkins, a celebrated bushranger, who, along with two others, had murdered, many years ago, Dr Wardell, the celebrated Sydney barrister. Dr Wardell was accused of being rather tyrannical with his government men, and may be said to have brought destruction, in some measure, upon himself. He had met Jenkins and two of his companions on his estate, about five miles from Sydney, and insisted on taking them up single handed. Jenkins advised him several times to desist, or stand the consequences, but the Doctor, who was a rash, headstrong man, having persisted, Jenkins shot him dead. Jenkins and

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one of his associates (the other having turned approver) were taken, tried, and executed. On mounting the scaffold, Jenkins reproached his companion with cowardice, he having seen him give a shudder on looking up to it. When he he had ascended, he turned round to the prisoners in the Jail, who were stationed by themselves at a short distance from him, and addressed them thus—"My friends, I am about to suffer for your sake, and for ridding the world of a bloody tyrant; and I hope that all of you will follow my example, and serve every other bloody tyrant in the same manner." A speech like this, delivered by one on the brink of eternity, was calculated to produce a wonderful effect on the desperate characters to whom it was addressed, and an order was consequently issued by the governor, that in future the prisoners should not be called out to witness the executions.

The old jail at Sydney was pulled down during the time of my residence there, as it was so small that some of the prisoners had to stand up while the others were sleeping. A splendid new jail was erected in its stead at Woolloomoolloo, in the suburbs of the town, and I happened to see the procession of the prisoners from the old to the new one. There were sixty or seventy prisoners who were ranged in couples on each side of a long iron chain, to which they were fastened. The two aborigines sentenced to be

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executed at Moreton Bay, walked first, and horrible looking savages they were, then came Curran, a desperate bushranger, who was shortly afterwards tried, condemned, and executed at Berrima, near the scene of his exploits, and, last of all, six or eight females. A large body of police, with loaded muskets, attended, and Captain Innes, the superintendent, rode on horseback in the rear. There was an execution shortly afterwards, within the new jail, of two men for murder, one of them for the murder of his wife when drunk, who, through the clergyman in attendance, warned the spectators to beware of the fatal cup, the dregs of which he was now about to taste.

An execution in a remote part of the world is calculated to awaken in the mind associations of a different nature from those which arise here. Children, for the most part, of exile, they want that which imparts some little consolation to them even at their last moments, namely, the sympathy and the affection of friends. I have seen an unfortunate sufferer in this country cast his eyes down from the scaffold for a moment, in all the agony of despair, to see if he could catch but one sorrowful look, or discover one parting tear amidst the crowds who were pressing around in order to witness the end of his sufferings, and the termination of his woe; and if fortunate enough to do so, this, of itself, would throw

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a momentary gleam of joy over his ghastly countenance. But when the poor, wretched, solitary wanderer from his father's house, takes up his last, his fatal position, upon the scaffold of eternity, in a far distant land, he looks in vain around for any eye that had ever seen him, until called upon to stand before an assemblage of strangers, and upon the platform of death.

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CHAPTER X.

Female Factory at Parramatta—Liberality of Government in rearing their numerous natural children—The most desirable Emigrants—Colonization in the days of Abram and Lot—Macquarie's liberality to the Emancipists—Want of hospitality—Servant of all work in the Bush.

THERE is a large penitentiary erected for the female convicts, called the female factory at Parramatta, fifteen miles from Sydney,—a town containing 10,000 people. Till of late years there were in general nearly 1000 women confined in this factory, besides about 200 natural, or, as the English call them, chance children, belonging partly to those in the factory, and partly to the other female convicts assigned as servants throughout the colony. When they come to be in that unfortunate predicament, they are handed over from their service to the factory, and the Government, very humanely, and very considerately, provide for their children, as the fathers of them, being for the most part convicts

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also, are, of course, quite unable to do so. This factory may consequently be looked upon as the most useful establishment in that wonderful country, as it serves the double purpose of a comfortable boarding school for 1000 women and 200 natural children, and a lying-in hospital for the whole colony.

It may easily be supposed, however, that the population of this factory is not quite so exemplary as we could wish. Mr James M'Arthur, member of the Legislative Council, in the able work which he published on that colony in 1837, says: "The disorderly state of that establishment, and the depraved conduct of its inmates, more especially during the latter eighteen months, baffle description. It might be truly designated as a hotbed of depravity." When I visited the establishment in 1841, I cannot say that I witnessed any of that depravity, or insubordination, which seems to have shocked the feelings of this amiable philanthropist. The inmates are kept so very strict, that I do not well see how they could evince any of their evil spirit, even though they were disposed. In fact, the punishment of the refractory, and those under colonial sentence, (that is, for offences committed in the colony,) is so severe, being confined in dismal solitary cells, and fed on bread and water, that some of them actually become mad altogether.

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The women are not allowed to talk,—a very wise regulation,—as, if 1000 women, of whom the greater part had been frail sisters in the mother country, were to be allowed to speak at one and the same time, the noise would surpass the roaring of the thunder. The children are very well educated, and the women are remarkably clean, and neatly dressed. They have their hair closely cut when they first enter the factory, which has the effect, not only of removing all noxious animals, (happily a rare occurrence,) but of keeping their heads cool and comfortable afterwards. They are kept always busy sewing and washing for the people in Sydney and Parramatta, besides various other employments; and a bulletin is issued every week of the numbers in the factory fit for being assigned, with a list of the number not assignable, —from nursing, sickness, or undergoing colonial sentence, and also a list of the number of natural children.

There is a constant shifting of the population in the factory, some being sent out to service, others returned to the factory, either from being no longer wanted, or from having been guilty of some irregularity, when they are sentenced to undergo different punishments, according to the nature of their offences, and every now and then, there is a candidate for admission into the lying-in hospital.

Mr Mudie, in his "Felonry in Australia," after

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giving a short history of this factory, which he designates as "*an agreeable retreat*," adds, "In the factory too, there is a good chance of getting married, for the convict swains scattered amongst the settlers, when they obtain the consent of their masters, or choose, when they become free, to enter into the connubial state, usually apply for permission to go to the factory in quest of a fair helpmate. On the arrival of one of these at the abode of the *recluses*, the unmarried frail ones are drawn up in line for the inspection of the amorous and adventurous votary, who, fixing his eye on a vestal to his taste, with his finger, beckons her to step forth from the ranks, and if, after a short conference, they are mutually agreeable, the two are married in due time." Mr Mudie also states, that on the very road to their respective places of assignment, offers of marriage are made to some of them from the waysides, and that, at their new habitations, they are besieged by suitors. He mentions, that he himself once received a dulcinea, who, in addition to her other finery, brought such a cargo of gloves, tooth and nail brushes, Macassar, and other hair oils, otto of roses and botanical creams, cosmetics and scented soaps, that she might have commenced as a dealer in perfumery. She spent the half of her time at her toilette, and was quite indignant at not being allowed an exclusive dressing-room, so that, instead of a servant who had undertaken to act

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both as house, and dairy-maid, he found that he had received a "Princess." "At present," Mr Mudie adds, "the servitude under one master for the short term of two years, entitles a female convict to a ticket of leave, and yet the charms of the factory are so much more seductive than even this slight probation, that all the worst women prefer the chance of the factory, to the certainty of good behaviour."

It would appear, that at one time the circumstance of a female being in the family way, was rather a passport to favour, as if the Government had intended to reward them for their exertions in the good old cause. When this singular discovery was made the following bulletin was issued by Government: "At the instance of the board of management of the female factory, Parramatta, it is recommended that women sent to the factory for pregnancy, when not living with their husbands, may be sentenced to the second class.

"If this precaution be not observed, the circumstance of bearing illegitimate children will be rendered a qualification for obtaining a ticket of leave; and in the cases of women under sentence for seven years, will frequently entitle them to that indulgence, while residing in the factory in consequence of their confinement."

The Scotch, and, in particular, those from the highlands and islands of Scotland, and those from the north of Ireland, who are chiefly pro-

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testants, are considered the best class of emigrants, as the Roman Catholics from the South of Ireland are too often of improvident habits. Indeed, till within these few years, it is stated that nine-tenths of the Irish population of New South Wales were either convicts, or emancipated convicts, with their families, and were almost invariably Roman Catholics.

For some years past, however, the greater proportion of the free emigrants imported into that colony, have been Irish. This will appear from the report of the Immigration Committee of the Legislative Council of New South Wales, dated twenty-sixth August 1842, and signed by the chairman, the Lord Bishop of Australia, wherein it is stated:—

"Your Committee have, in conclusion, to draw the attention of the Council once more to the extreme disparity existing in the proportionate number of immigrants from the different quarters of the United Kingdom. The returns annexed will shew, that between the 1st January 1841 and 30th June 1842, the number of immigrants fron Ireland alone has amounted to 16,892; while those from all other parts of the United Kingdom have been no more than 8438. It is the decided opinion of your Committee, that such a distribution, while it is palpably inequitable towards the most considerable division of the empire at large, is likely to occasion future in-

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conveniences and disadvantages to this colony in particular."

Mr James M'Arthur seems to agree with Dr Lang, in deprecating the immigration of the Roman Catholic population of the South of Ireland, not so much on account of their religion, as from what he calls their "improvident habits." He calls out loudly, however, for Scotch emigrants, and, in particular, for those from the highlands and islands of Scotland, in consequence of their moral character, and their frugal, patient, orderly, and industrious habits. Till of late years there was so much difficulty in getting respectable females to emigrate to that colony, that one-fifth of those at one time sent out free, were of the class of unfortunate females in the mother country.

The first principles of colonization were called into operation several thousand years ago, between those two patriarchal graziers and flock-masters, Abram and Lot, when their grazing grounds, or sheep and cattle stations, were "not able to bear them, that they might dwell together." Their flocks and herds became too numerous for the space within which they were depasturing; their shepherds and stockmen consequently began to impound each other's animals, and to quarrel and fight; when Abram luckily bethought him of colonization, and proposed to Lot that they should forthwith

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emigrate to some new and more capacious country. The speech which he delivered on that interesting occasion contains the germ of the Wakefield theory, at least of all that is solid and valuable in that, or any other theory of colonization:—"Let there be no strife, I pray thee, between me and thee, and between my herdmen and thy herdmen; for we be brethren. *Is not the whole land before thee?* Separate thyself, I pray thee, from me; if thou wilt take the left hand, then I will go to the right; or if thou depart to the right hand, then I will go to the left." Acting upon this very sensible and gentlemanly proposal, Lot looked about him in quest of a "station;" nor was he long in discovering such a one as would rejoice the heart of an Australian settler, for he "beheld all the plain of Jordan, that it was well watered everywhere, even as the garden of the Lord. Then Lot chose him all the plain of Jordan; and Lot journied east; and they separated themselves the one from the other. Abram dwelt in the land of Canaan, and Lot dwelt in the cities of the plain."

Mr Merivale, professor of political economy in the University of Oxford, in his excellent lectures on colonization, delivered before that University, and since published, and to which I formerly alluded, takes up the subject in this twofold aspect. In relation to the British isles, he views emigration as a sluice for the letting off

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of redundant population, where "the land is not able to bear" the people,—where their "substance is great, so that they cannot dwell together." In relation to the emigrants, he views it as an exchange of pressure and indigence for freedom and wealth, the parent state saying to each of them, as she points to the vastness of her colonial dominions, "Is not the whole land before thee? Separate thyself, I pray thee, from me. If thou wilt take the right hand, there is Canada; or if thou depart to the left hand, behold all the plains of Australia." Extending his views still further, he considers colonization not only as relieving Great Britain from the strain of surplus multitudes, but as opening up new resources for the investment of her over-accumulated capital, and new vents for the over-production of her manufactures; thereby contributing to her internal prosperity, and advancing, to a still prouder supremacy, her rank and influence among the nations. And, lastly, taking the term colonies to signify, not conquered or ceded provinces, but "territories of which the soil is entirely or principally owned by settlers from the mother country,"—Mr Merivale regards them as having to fulfil a destiny far more important than that of mere appendages to the original state.

It is, no doubt, a trite observation, and as true as trite, that emigration to the colonies benefits all parties,—those who go, those who are there

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already, and those who remain at home; the first, by transferring them to a field in which full scope is given to their talents and industry; the second, by the additional amount of labour and capital poured into the colonies; and the last, by lessening that ruinous degree of competition, by removing some of the contending individuals to another sphere of action, and converting those into large consumers of British manufactures, who previously, perchance, were themselves producers; and further, it benefits all the three parties by the additional creation of wealth, and the needful interchange of trade.

Emigrants may be divided into two classes, namely, those who intend to settle permanently in their adopted country, and those who intend to return after having amassed a competency. The latter consist chiefly of the youth in the higher ranks of our society, accustomed to occupy a certain station, but, from the law of primogeniture, and other causes, being destitute of the means. These individuals are apt to expose themselves to unhealthy tropical climates in the hope that they may accumulate wealth, and return to their proud connections in a condition to command their friendship and attention,—wealth being the god of the people in this country. Scotch parents, in particular, too often devote their children to the loss of life, or, at all events, of health, in order that they may not lose caste,

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and lower the family rank by comparative poverty, or disgrace it by application to some of the branches of industry. Mr Matthew, in his "Emigration Fields," seems to think that the fatality of tropical climates has not been properly estimated, and mentions that in some of them, where our military had been stationed, the mortality was in the ratio of ten to one of what occurs in temperate climates; and that he himself had lost eleven cousins, all stout young men, in tropical climates, besides every other relation, without a single exception. Those who go to the southern provinces of the United States of America, the West Indies, Demerara, and Sierra Leone in Africa, in all of which the yellow fever prevails, are too often cut off with railway despatch; whilst of those who go to the East Indies only five in the hundred ever return at all to their native country, and almost invariably, if they have resided there for any length of time, with diseased livers.

The following tabular results appear with reference to the British army in the various colonies, according to a paper lately read before the Statistical Society of London, by Assistant Surgeon Balfour. This return is of the highest importance to the Australian Colonies, and to the civilized world in general, as indicating a healthfulness of climate in that part of the globe beyond that of all other British

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colonies. The nearest approach to New South Wales, in a sanatory point of view, is the colony of the Cape :—

	Annual Mortality *per* 1000 in
New South Wales,	14
Cape of Good Hope,	15
Nova Scotia and New Brunswick,	18
Malta,	18
Canadas,	20
Gibraltar,	22
Ionian Islands,	28
Mauritius,	30
Bermuda,	32
St Helena,	35
Tennasserum Provinces,	50
Madras Presidency,	52
Bombay ditto,	55
Ceylon,	57
Bengal Presidency,	63
Windward and Leeward Command,	85
Jamaica,	143
Bahamas	200
Sierra Leone	483

Though I intend in a subsequent volume, with which I shall close my literary labours, to give a short account of the different countries to which emigration may be directed, previous to treating of Brazil, yet it is evident, from the preceding table, that Australia, in point of climate, surpasses them all, and this will, no doubt, be always duly appreciated by intending emigrants. The length of the voyage is certainly a drawback; but this is soon made up by those who consider, that, on their arrival in that country, they have a delightful climate all the year round, whereas, in going to Canada, they

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lose nearly the one-half of the year by the severe winters.

It is, however, a difficult matter to point out to intending emigrants the country to which they should go, and they are often puzzled how to act, from the conflicting accounts of the same country presented to their view. People who visit foreign countries are very apt to write and speak of them, not according to their intrinsic merits, but according as their success has been. If a man makes his fortune in a desert, that desert becomes to him a paradise; whereas, if unsuccessful, he would be apt to abuse paradise itself.

A more striking illustration of this cannot be brought forward than that of Mr Waugh of Edinburgh, who emigrated to New South Wales in 1837. His success at first was so great, and he wrote home such flattering accounts of it, which were published by his friends in Edinburgh, that hundreds were induced to visit these shores, trusting entirely to his recommendation. Such, however, as have not succeeded, are now unfortunately too lavish of their abuse of him, as the cause of their having wandered from their father's house, and exchanged the fertile land of their nativity, for barren and inhospitable shores.

Mr Waugh says, "Were all the population of Scotland to come out at once, they could be

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located on rich land ready for the ploughing, or, at all events, grazing, and then leave room for all the population of England and Ireland to come next year and do the same." It would certainly be a wonderful change to that parched, barren land, which has taken fifty-nine years to gather 200,000 people, to find no less than 30,000,000, in the short space of two years, wandering along its vast and dreary plains. Such a wonderful mass of human beings would drink every river in that country actually dry during the first month, besides having nothing whatever to eat after the first week; so that it is fortunate they did not follow the advice of that amiable, though inconsiderate, enthusiastic individual. Sir George Gipps, the late governor of that colony, states, in one of his despatches to Lord John Russell, that 10,000 emigrants annually would find profitable employment; and the Emigration Committee of that country say, in their report of August 1842, in like manner:—

"With reference to the precise extent to which it is desirable that emigration should be carried, your Committee see no reason to depart from the opinions which they have on former occasions expressed—that from ten to twelve thousand individuals may be introduced at the public expense every year, without occasioning any redundancy in the population."

According to this view of the case it will take

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no less than 300 years to transport to that country the 30,000,000 of people whom Mr Waugh meant actually to have landed there in two.

The population of New South Wales is advancing rapidly, having increased from immigration, &c., 200 *per cent.* within the ten years years preceding 1842, an increase unexampled in the history of the world. The comparative increase of the population in Europe, America and New South Wales, may be thus stated :—

France	doubles itself in	90 years.
Austria	,,	69
Russia	,,	66
Holland	,,	56
Great Britain	,,	42
Prussia	,,	28
U. S. of America	,,	25
Canada	,,	20
New South Wales	,,	10

Governor Macquarie has been somewhat blamed for his excessive liberality, in giving away so much of the best land in that country in grants, both to emancipated convicts and to free settlers; but it must be considered that it was then of comparatively little value. As, however, the convicts were becoming numerous, and but few people of capital to employ them, he made it one of the conditions in the charters granted, both to the emancipists and the free settlers, that the grantee was to take and main-

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tain a certain number of government men, according to the extent of the grant, and this was a great saving of expense to the Government. When the free grants were withdrawn in 1831, this clause was, of course, omitted, and for the last twenty-five years, so far from being required to take them, the settlers have been too glad to get them. The free grants of land under the governorship of Governors Macquarie, Brisbane and Darling, amounted in whole to nearly 3,000,000 of acres. Both of the latter, indeed, seem to have been nearly as lavish in this respect as Macquarie, in proportion to the duration of their authority, though, no doubt, he gave more free grants to the emancipists than either of the others. This arose, however, from there being comparatively few free settlers during his reign, whereas, during that of the others, they had arrived in great numbers.

So generous, indeed, was Macquarie to the emancipists, that, in addition to the land which he distributed amongst them, even more profusely than among the free settlers, he made them also magistrates and public functionaries, so that it was a common saying during his reign, that the circumstance of having been convicted was the surest road to preferment. This had a tendency to increase the feeling too prevalent at that time amongst the emancipists, that the colony was theirs by right, and that the free emigrants

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were interlopers upon their soil; a feeling which happily has now passed away. He, however, probably, did it as an inducement to them to remain in the country, and he attached one condition to the small grants, that they should reside on them for seven years, while those who received large grants had to reside for three, either personally, or have an overseer, who was not a convict, on the spot. His great anxiety seems to have been, to have had his large territories peopled as fast as possible, and with this laudable object in view, the great mistake he committed was, in not having sent for the Church of England missionaries from New Zealand.

As an encouragement to matrimony, his Excellency also bestowed grants of land, as marriage portions from the Crown, on the occasion of the marriage of free persons, born in wedlock; giving the liferent to the husband and wife, and the fee to their children. This had the effect of inducing many a worthy old bachelor to look out for a wife, who had been previously looking out for a grave. One of the chief reasons, in fact, of so many having become rich in that country, with little or no merit of their own, arose from the mere accidental circumstance of their having happened to be there during the reign of this generous governor, and when comparatively few respectable people, owing to its being a penal

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colony, thought at that time of going to it. Were the same system in operation at the present day, it would certainly be the most desirable field for emigration in the world. One of the surveyors whom he employed for laying off the town of Sydney, was, also, like his master, of so generous a disposition, and so fond of a social glass, after the labours of the day were over, that a small mark of attention of that nature induced him occasionally to stretch his line a few feet farther, as he professed himself a decided enemy to false weights and measures. This conscientious individual probably did not anticipate, that in a country two thousand miles square, a single foot of ground, perhaps then not worth thirty pence, was to become, in the course of twenty-five years thereafter, worth thirty pounds.

Though the Rev. Mr M'Kenzie states, that the hospitality of the people of Australia is proverbial, yet I am rather inclined to think that the reverse is the case, and this is so far unfortunate, as nothing predisposes strangers in favour of any country, so much as the practice of hospitality, and if the receiver of it be a native of a country where the supply of food is less than the demand, he is enraptured at such apparent liberality.

It will be found, however, that in those countries where it exists the most, there is either a surplus of the necessaries of life, or an understanding, that travellers should be thus accommo-

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dated, from there being few or no inns, so that, in thinly peopled countries, it becomes a mutual exchange of advantages all round. In thickly peopled countries, on the contrary, where food is not superabundant, hospitality does not exist, as supplying the wants of travellers there becomes a trade. Amongst the isolated settlers of Canada and the United States of America, food is plentiful and markets distant, therefore travellers are welcome. But in the cities of Potosi and London, a man may starve if he have not money, because there are more mouths than food. Potosi is a town in Peru, on the west coast of South America, built close to a mountain of the same name, 16,000 feet high, where there is one of the best silver mines in the world, having yielded, since its discovery in 1545, no less than £300,000,000 sterling. The mountain in which the silver is found, resembles a sugar loaf. The country around is, however, so barren, that the inhabitants and miners have to get their provisions from a distance. In Iquique, also in Peru, the greatest mark of hospitality is to offer a stranger a glass of water, which is a valuable commodity, from its having to be brought from a distance of 100 miles. The person in this country, who only offers his friend a glass of water, is not accused of being over-hospitable. The trouble of hospitality in isolated places is generally compensated by the news

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which the traveller has to relate. It may consequently be laid down as a general rule, that all nations celebrated for their hospitality, must be in a favourable condition in regard to the means of procuring food. Mr Stephens, the celebrated American traveller, in his Travels through Egypt and the Holy Land, says, "Few things tend to give you a better opinion of a man,—of his intelligence, his piety and morals, than receiving from him an invitation to dinner." All men of taste must assent to this doctrine.

In many parts of the colony, particularly at a distance from Sydney, men have to do all the work of the house, and a gentleman boasted to a newly arrived emigrant, that his establishment in the bush consisted of a coachman, a groom, a butler, a man cook, a dairy maid, a chamber maid, a butcher, a baker, a laundry maid, a gardener, a tailor and a land steward; when it turned out, that one government man discharged the whole of these duties, acting alternately in all these different capacities. Many a useless drone in Britain would be infinitely benefited by a few years of a bush life in New South Wales, and in addition to all the above accomplishments, he would soon be required to cut down a tree, load a dung-cart, and drive a bullock-team.

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CHAPTER XI.

Port Phillip—The Squatters of Australia—New Squatting Act—Steam betwixt Sydney and London—Dr Leichardt's Discovery of a New Territory—The boiling down of Sheep and Cattle for their Tallow—Recovery from late Depression—Great demand for Shepherds—Present State and Future Prospects of the Colony.

PORT-PHILLIP.—This may be said to be the most rising colony in the world, occupying the south-eastern portion of New South Wales, of which it forms a part, and to which the name of Australia Felix has been given, from its great fertility. The settlement is situated in Port-Phillip, a large bay, from thirty to forty miles deep, and twenty broad, passing through an entrance, from Bass's Straits, about one mile and a half in width. The capital is Melbourne, situated on the river Yarra Yarra, five or six miles from its embouchure; and though this town was not founded till 1836, yet, at the present moment it contains 12,000 inhabitants, and a single foot of frontage ground in one of its chief streets—Collins Street—was, in 1840, worth £30, a rise

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of value unequalled in the world, as a few feet, at that rate, would, twenty years ago, have purchased the whole district. The price of ground, however, like every thing else, has now fallen. During the short time that the speculative mania lasted, an acre and a half of ground in Melbourne was sold by auction for upwards of £10,000; whilst small cottages were sold at £2000, or let for £200 a year. Such, however, was the depression that took place, both in that and the Sydney district, that, during the year 1843, just three years afterwards, repeated instances occurred where such properties were actually sold for less than the former annual rental, or let for one-tenth of its amount. Though things are now rapidly recovering, yet it would be absurd to suppose that they will ever again realize the extravagant prices of 1840.

The land in the vicinity of Melbourne produces splendid crops, and in the interior it is well clothed with grass, and requires no clearing, the trees being few. Van Diemen's Land now derives a considerable part of its supply of fat cattle from the Port Phillip district, and it is somewhat singular that most of the sheep and cattle originally imported into Port Phillip in 1836 and 1837, came from

> That barren land of rock and sand,
> Which Tasman called Van Diemen's Land.

There is another town named Geelong, situ-

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ate fifty miles by the road, and forty by water, to the southwest of Melbourne near the entrance into Bass's Straits, which now contains 2000 inhabitants. When Sir George Gipps, the late Governor of New South Wales, paid Geelong a visit in 1841, he told the Geelongians that there was nothing he envied so much as their beautiful herds of fat cattle, so superior to what they had in Sydney.

The Phillippians, who are chiefly Scotch, and possessed of all the ambition of that wonderful race, are anxious to be disjoined from New South Wales, to which they are at present attached, and to have a separate and independent government of their own. The two principal grounds on which they claim this separation are, 1st, on account of the great distance of the present seat of government at Sydney, and 2d, from the injury sustained from the transfer of the surplus revenue from that district, to the Sydney treasury, which may be estimated at not less than £50,000 annually. Mr Archibald Cuningham and Dr Lang were despatched from the colony to London in 1846 to enforce their claims.

The blacks were, at one time, very troublesome at Port Phillip, and though now somewhat subdued, yet the following account of an affray with the natives, taken from the *Port Phillip Gazette*, of 1st June 1844, will shew that the set-

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tlers are still occasionally exposed to their molestations :—

" Information has arrived in town of an affray which took place at the station of Messrs Pettit and Clark, situate between the Grampians and the Pyrenees. It appears that a body of natives rushed on one of the shepherds, who had in his charge a large flock of sheep, about five hundred of which were driven off by the blacks, after severely wounding the shepherd, who now lies in a most dangerous state. Mr Commissioner Powlett and Captain Dana were in the neighbourhood, and followed the track of the sheep for about two miles, when they came up with the depredators at the edge of a large scrub. The natives immediately stood and shewed fight, receiving the police, (consisting of four of the Border and four of the Native force) with a shower of spears. Fearing, as we are informed, that the hue and cry of ' maudlin sensibility' would be raised, unless an unusual and dangerous delay was practised, they endeavoured to parley with the natives, who kept up a continual flight of spears, at the same time refusing to deliver up the sheep. The police were then obliged to act more resolutely, the effects of which are—Captain Dana speared slightly in the right arm, one of the native police speared in the left thigh, one of their opponents shot, three wounded, and one horse killed. Out of the entire flock driven off

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only thirty-four were recovered, the rest having been eaten or otherwise destroyed."

Their extirpation would be a great benefit to the whole of that country, though their Chief Protector, Mr Robinson, would, no doubt, oppose it, as he would thereby lose his salary. He had the generosity to give a grand dinner to his numerous *proteges*, amounting to nearly four hundred, on the 28th of March 1839, at which they continued eating for several hours, which almost ruined him, and he has not been able to give them another dinner since. There are now five newspapers published at Melbourne, besides one at Geelong; and a steam-boat plies to Sydney once a fortnight, making the passage, which is about 700 miles by water, in 68 hours.

There is also a post-office communication now established twice a-week, over land, betwixt Melbourne and Sydney, a distance of 600 miles. During the first 400 miles after leaving Melbourne, you are completely in the bush, there being neither church, clergyman, nor schoolmaster, and nothing to be seen but gum trees and a few public houses. In traversing these 400 miles, you have to cross four large rivers, namely, the Goulburn,—the Ovens,—the Hume,—and the Murrumbidgee, one of the largest rivers in that country, and 270 miles from Sydney. After reaching the town of Yass, close to the plains of that name, and situated 200 miles from

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Sydney, you have to pass successively through the towns of Goulburn, Berrima, Campbeltown, and Liverpool, before reaching Sydney. A railway is at present projected from Sydney to Goulburn, a distance of 120 miles, which, in course of time, they calculate, may be extended all the way to Port Phillip.

Although the large quantity of six millions of acres has been already alienated by Government in New South Wales, either in grants, or sold, yet the greater part of the land in that country is held on the squatting or depasturing system, on land situated, in the colonial phrase, "beyond the limits of location." The stations of the squatters of New South Wales now extend from Hervey's Bay to the river Glenelg, at the western extremity of the Port Phillip district, a territory comprehending fifteen Commissioners' districts, and measuring in a straight line eleven hundred miles.

The term squatter is the colonial designation of a numerous and respectable class of persons in New South Wales, of a totally different description from those who bear the same name in the United States of America. There, the squatter is generally a poor, industrious man, who goes forth into the untrodden wilderness, with the axe on his shoulders, in the van of advancing civilization, hews down trees, builds a loghouse, clears, fences, and cultivates a piece

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of ground, of greater or smaller extent as it may happen, to which he thereby acquires a right of pre-emption at the Government minimum price of two dollars *per* acre; and, finally, perhaps, sells the right, with all his improvements, to the next comer, to repeat the same process farther on in the forest. In Australia, on the contrary, the squatter, who is often a man of substance, and not unfrequently a gentleman born and bred, is a person who, like Abraham, Isaac and Jacob, follows his flocks and herds into the vast wilderness beyond the settled districts; and, fixing on a suitable station previously unoccupied, and generally of twenty or thirty miles in extent, erects a bark hut, and stock yard. According to the Government returns up to September 1843, the squatters of New South Wales possessed 16,400 horses, 592,333 horned cattle, and 3,208,429 sheep, and, at the present moment, at least double these numbers. The squatters, consequently, form no inconsiderable class of the colonial community of that country.

A most important bill was introduced into Parliament by that enlightened statesman Earl Grey, during the session 1846, called the Australian Waste Lands Bill, which has been since passed into a law. This act enables the Government of that country to grant leases of land beyond the boundaries of location, for periods varying from

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eight to fourteen years, with a renewal of the lease if held by the same occupier, and if the land be unsold. The holders of these lands are also to have a right of pre-emption, subject to arbitration regarding value; and those who have gone to the trouble and expense of discovering good runs, will also enjoy right of pre-emption. Persons convicted of misconduct are to lose their lands; and, in aggravated cases, will be deprived of them without any compensation for improvements.

By this act, licenses for depasturing are to be granted at the rate of £10 annually for every 4000 sheep, or 640 head of cattle, which are taken as equal to 4000 sheep (horses being reckoned as cattle) that the land is capable of maintaining. Twenty square miles are estimated as the average of what will be requisite in Australia for that purpose. This act, as it establishes fixity of tenure, will be considered a great boon by the squatters in that colony.

In addition to the squatting license, the squatters have to pay to Government an annual tax (levied half-yearly) of sixpence *per* head for horses,—threepence for cattle,—and one penny for sheep. This tax was originally imposed for the purpose of defraying the expense of the mounted police, kept up for the protection of the settlers beyond the limits of location; but,

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as it now does much more, the surplus goes into the colonial treasury. In fact, it forms now a large item (not less than one-eighth) of the ordinary revenue of that colony, producing £60,000 annually; of which, about £35,000 arise from the assessment on stock, &c., and £25,000 from depasturing and other crown land licenses.

There are no direct taxes levied in the colony, except the above, and publican's licenses. The revenue arising from the sale of land, which, in 1840 amounted to £317,251 had fallen in 1842 to £19,444. The whole amount received from the sale of crown lands betwixt 1824 and 1840 was upwards of one million. The present minimum price of land, which has been fixed at £1 *per* acre, is too high for that country.

They are very anxious to establish steam communication between Sydney and London, and have taken great pains to ascertain the length of the different routes. The following is the result of their investigations:—

WESTERN COURSES.

	Miles
Distance from Sydney to Valparaiso,	6600
,, Valparaiso to Panama,	2700
,, Panama to London,	4500
Length of Valparaiso Line,	13,800

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OTAHEITE LINE.

	Miles
Sydney to Otaheite, . .	3300
Otaheite to Panama, . .	4500
Panama to London as before, .	4500
Length of Otaheite Line,	12,300

EASTERN COURSES.

Sydney to London, by Cape of Good Hope, ...	15,300
Sydney to Bombay, . . .	6000
From Bombay by the Red Sea to London,	7896
Length of Bombay Line,	13,896

There are at present steamers plying from Valparaiso to Panama, and from Chagres to London on the Atlantic side. A railway is projected across the isthmus of Panama from that town to Chagres. The railroad will be about sixty miles long, though the direct distance is little more than thirty.

The favourite plan at present, however, is to have steam from Sydney to Singapore, from which a fine steamer, called the Firefly, runs regularly to Calcutta. The mail from London reaches Singapore in forty-two days; so that,

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calculating the average performance of the steamers to be employed betwixt Sydney and Singapore at 200 miles *per* day, the passage would occupy twenty-four days, including one day for stoppage at Java, and one at the coal depot at King George's Sound. The mails from England would therefore reach Sydney by this route, in sixty-six days. As, however, it costs £150 to go from Singapore to London, the great mass of passengers must continue to go by the Cape of Good Hope; and if they had what are called auxiliary steam-boats, this could easily be done in seventy-five days. Singapore is situated on an island of that name, about twenty-five miles long and fifteen broad, and within five days' sail of China. It has now about 40,000 inhabitants, of whom the principal merchants are English, with a few Chinese.

The average length of passage for the monthly mail packets lately established betwixt London and Sydney has been 115 days, which is rather longer than with merchant vessels.

There is no place better adapted for steam than Australia, as there is an inexhaustible supply of coal at Newcastle, on the river Hunter, about seventy miles from Sydney, which is sold on the spot at nine shillings the ton.

The news of that important event, the abolition of the corn laws in Great Britain, which arrived in Australia in May 1846, produced a

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great feeling of satisfaction among all classes, as the duty *per* quarter for Australian corn is now reduced to the uniform, and almost nominal rate, of one shilling *per* quarter. The cost of the transport of wheat from that country and Van Diemen's Land into Britain, including insurance, is about 16s. *per* quarter, or 2s. *per* bushel. Wheat is selling at present in Australia at 5s. the bushel, or 40s. the quarter; so that, adding the 16s., it can be sold in London at 56s. the quarter, which is considerably less than the present price of that article in the London market. The raising of grain for exportation to Britain will, therefore, soon take place to a considerable extent, particularly in the Port Phillip and South Australian districts. Into the latter they have lately imported a considerable quantity of guano, so termed from a bird bearing that name, which exists in incredible numbers off the coasts of Peru in South America, whose dung, accumulated through successive ages, has gradually formed large heaps, and even entire islands. The guano discovered in 1843, on the small rocky island of Ichaboe, three miles off the west coast of Southern Africa, is, on an average, about thirty-five feet deep; and, since that year, the enormous quantity of 300,000 tons has been extracted, and shipped chiefly to Britain; and the concourse of vessels and competition for cargoes, had not only embarrassed the commercial proceedings, but en-

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dangered life, by the mutiny and disorder of the varied crowd.

The discovery in 1845, by Dr Leichardt, (a German,) of a country to the north and north-west of the Darling and Moreton Bay country, extending 1400 miles as the crow flies, must be considered as one of consummate importance; shewing that that country possesses an Australia Felix to the north as well as to the south. The Doctor left Sydney in August 1844, proceeding in the sovereign steamer to Moreton Bay; and, on 13th October of that year, he started from the Darling Downs in its vicinity, his party consisting of ten persons in all, with sixteen head of cattle, and seventeen horses. After travelling betwixt 2000 and 3000 miles, or about 1400 in a direct line, he and his party arrived safe at Port Essington on 17th December 1845, having passed through a country tolerably well watered, and hitherto untrodden by the foot of civilized man. This path when opened up, will form a direct route to India, and horses could then be sent there at an expense of £5 *per* head, instead of £20 as at present.

Indeed a great trade in horses has been lately opened up betwixt Australia and India. Previous to 1842 a great number of horses were imported into Sydney from Valparaiso,—nearly three thousand having been landed there during the five preceding years.

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Valparaiso is the principal seaport of Chili, or Chile, and contains a population of 40,000 inhabitants, who live chiefly in mud houses, seldom more than one story in height. It may be called the seaport of St Jago, the capital of Chili, from which it is distant seventy miles by a good road; and the principal English and American merchants reside there. St Jago is situate on an extensive and fertile plain at the base of the Cordilleras de los Andes, the highest mountains in the world, so that the view along many of its streets, is terminated by the snow-clad summits of those mountains. The streets are well paved, and have streams of water flowing down the middle of them.

Instead, however, of importing horses, the trade in which has entirely ceased, they commenced in 1843 to export horses from Sydney, chiefly to the East Indies, and orders have been transmitted to Sydney and Launceston for supplies of horses for the British troops in India, and there are now resident agents for that purpose in the former of these towns, who are shipping them to a great extent.

The prices hitherto realised for horses in India have in general been highly satisfactory. In March 1843, twenty-nine horses, averaging five years old, realised in Calcutta an average price of £80 each. In August following, twelve horses, from the Glendon stud, in the Sydney or

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Middle District, were disposed of at Madras, for an average amount of £77, 10s. each, notwithstanding their having landed in bad condition, after a protracted voyage of fifteen weeks from Sydney,—a passage which is usually accomplished within half that time. In December 1844, seventy-one horses, *per* Blundell, from Sydney, were sold at Calcutta for an average of £96 each, a few of the choicest specimens realizing £200; and at a sale by auction that took place in Calcutta, on 5th January 1846, of horses imported from Sydney, Dustyfoot, a grey entire colt, rising three, brought 1650 rupees, or about £165 sterling. The expense of freight, fodder, &c., comes to about £20 *per* head, and as they can be purchased in the colony for £30, it must be a good speculation.

The fearful depression which took place in that colony in 1843, when sheep, in one or two cases, were actually sold at one shilling a head, and cattle at five, led the stockholders to rack their brains in attempting to devise some means of saving the colony from impending ruin. The bright idea of slaughtering and boiling down sheep and cattle for their tallow occurred first to Mr Henry O'Brien, J. P. of Yass, a large stockholder, though I observe that Hodkinson, in his late work on Australia, says, that it was Mr Ebsworth of Sydney, who first suggested the plan. Mr O'Brien first tried the experiment on

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some of his own fat wethers, and the trial was so eminently successful,—realizing eight shillings *per* head, that he immediately published the result of his experiments; and within a few weeks afterwards sheep had actually tripled their prices, those previously selling at 2s. bringing 6s., and within a few months no less than fifty boiling down establishments were in operation in that colony. This simple discovery has saved that country from ruin; as it thereby fixed a minimum price for sheep and cattle, which, of course, is the market value of the tallow produced from the animal when boiled down.

The advance, however, in the price of sheep and of wool during the last two years has had the effect of causing the slaughtering of sheep for the production of tallow to be entirely abandoned, so that it is confined to cattle. In the year 1844 the number of sheep slaughtered for tallow amounted to 217,800, and of cattle to 20,148. After selecting some of the choice portions of the beef for curing, it is found that a well-conditioned bullock will yield nearly one-fourth of its weight of tallow; and a fat sheep, after deducting the two hind legs, which are converted into hams, about one-third of its weight. As the average weight of tallow which each fat bullock produces, may be stated at 200 lbs, and sheep at 20 lbs; and as tallow brings in Sydney 33s. *per* cwt., (40s. in London,) or about 3½d. *per*

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pound, it follows that fat sheep are intrinsically worth about 6s. for their tallow alone, independent of their skins, hind legs, &c.; whilst fat cattle are worth about £3, exclusive of their hides, horns, and meat for curing, or converting into a gelatinous matter, or stock for soup, &c. Several cases of this gelatine have been already shipped for London, China, and various other parts of the world, and it is likely to form an important article of exportation from the colony. Owing to these circumstances, sheep, (that is mixed flocks, clean, unclipped, with station,) have advanced to 10s. each, fat wethers to 12s., and fat bullocks to about L.4, 10s., or 9s. the cwt. The retail price of beef and mutton has also advanced to twopence-halfpenny the pound, which, however, is still cheaper than in almost any other part of the globe.

It is not necessary for a sheep-owner in New South Wales either to buy land or to become a squatter, as, if he prefer it, he will have no difficulty in meeting a respectable stockholder, who will receive and graze his sheep on what is called "*halves*;" though, till lately, it used to be on "*thirds*." By this plan the grazier receives yearly one-half of all the wool, and one-half of the increase from the flock; giving, or rather accounting for the other half of both, to the owner of the sheep. This system is convenient for people of small capital, and for those who may

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not wish for a year or two to form stations for themselves.

The general calculation is, that the wool should pay the expenses of a station, viz., wages of shepherds—rations—squatting license—assessment on stock, &c., leaving the increase for clear profit. Immense fortunes have been made by many individuals in the colony since 1843, on what may be called the ruin of others, as those who bought at that time have had their capital increased by the rise of prices, three, and in some cases, fivefold.

Shepherds are now more in demand throughout Australia than any other class of men, and their wages, which were much depressed in 1843, have now advanced to £30, with rations. It is a pity that so many of them become dissipated and improvident on obtaining high wages. At a meeting that took place in Sydney about two years ago, my distinguished friend, Mr Benjamen Boyd, said, that some of his shepherds were sailors, and that even females did well, as he employed an old Scotch woman who took charge of 1500 sheep. He agreed with Mr George M'Leay in thinking, that a shepherd with £12 a-year, and rations, was as well off at the end of the year as one with £30, the surplus being almost invariably spent in the public house.

Dr Thomson, M. C. for Port Phillip, said at the meeting, that when shepherds had too high

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wages, their behaviour became frequently extravagant and quite outrageous, drinking even champagne occasionally, as he himself had been offered a bottle of champagne by one of his own shepherds. On one occasion he paid two men £110 at the termination of their year's engagement, and in seven days they came back to him seeking employment, having spent the whole of it. Dr Thomson added, "I should prefer weavers from Manchester or Paisley, as shepherds, to those who had been shepherds at home."

The year 1844 was the first year, in the history of New South Wales, that the exports exceeded the imports, as, in 1840, the imports amounted to upwards of £3,000,000, while the exports were only £1,400,000. This of itself shews a remarkably healthy state of things, and must soon produce the most beneficial results.

Germany is the great rival at present of Australia in the production of fine wool, nearly the one-half of the finer wools used in Britain being imported from that country. It cannot, however, much longer compete with Australia, as they have to provide food and shelter for their sheep during the winter in that country at a great expense, whilst in Australia they roam over its vast plains all the year round, and the freight of wool to this country is a mere trifle.

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Mr William Westgarth, commission merchant at Melbourne, Port Phillip, transmits to his agents, Messrs Thomson and Forman of Leith, an annual report, most ably drawn up, of the commercial and agricultural progress of New South Wales in general, and of his own district in particular. In his last report, which was politely handed to me by these gentlemen, Mr Westgarth says:—"There is no question in regard to these colonies, more grand and interesting in a commercial point of view, than the probability of the entire Australian territory being made available to British enterprise, in the present depasturing pursuits. Perhaps the time is not very remote, when a hundred millions of sheep, and fifteen or twenty millions of horned cattle, spread over the wide extent of the country, may supply the world with a large portion of its food, and with the materials of some of its principal manufactures."

I omitted to state, that, in addition to the Savings Bank, there are two or three of these beneficial institutions at Sydney, namely, Friendly Societies. It has been alleged by some, that the members of these societies who pass through life, as many do, without having occasion to claim any portion of their funds, lose the amount of their contributions. But they have surely enjoyed what must be considered of at least equal value, namely, a feeling of security against

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want, and a consequent peace of mind, and consciousness of independence. There are few who insure their property against fire who reap any other advantage from so doing but the feeling of being secured against a casualty to which all property is exposed. This, necessarily, saves them many an anxious thought, and people must pay for an easy mind.

No one can leave Sydney without feeling a variety of painful emotions arise in the mind. These are so beautifully described by Mr Hood of Stoneridge, Berwickshire, in his late excellent work on that country, that I cannot do better then quote his words:—

"We at last," says he, "weighed anchor, and moved down the beautiful harbour of Sydney, and my last view of the city—its adjoining bays —gardens—gentlemen's houses, and endless succession of landscapes, all backed by the everlasting forest, I shall never forget. No one, I think, can leave this place without retaining in his memory a vivid and enduring recollection of its singular loveliness. It was one of those evenings only known in such latitudes. The sun was down, and had left the sky one mass of glowing gold, producing an effect beautiful beyond description. Innumerable ships lay at anchor betwixt us and the shore. The white cottages and handsome villas were still visible in the forest all round. The Government house

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towered in front—there was a peaceful stillness on the waters,—and all the country near, strangely contrasted with the hum of the city. The evening gun from the shore, and the responses from the shipping added to the effect, and the whole left an impression of the scenery in an autumn evening in Australia such as I never before beheld."

The voyage from Sydney to London occupied six months; and though we experienced much rough weather in rounding Cape Horn, yet the splendid weather we enjoyed betwixt Brazil and England caused us to forget the storms and the tempests of our earlier voyage, and to remember them but as the waters that pass away.

I shall conclude with the following lines of the poetic muse, which will, no doubt, excite in the minds of all a great enthusiasm in favour of that wonderful country:—

Advance, Australia! though a land where crime
Fulfils its punishment's allotted time—
Though many a child of error and of sin,
Passes his forfeit days thy bounds within—
Still does the free man of his native land
Forsake his country for thy welcome strand;
Speeds o'er the wave on Hope's auspicious gale,
Nor finds his fondest expectation fail.
Thrice twenty years have scarcely roll'd along,
Since first a Briton pitch'd his tent among
Thy sylvan shades—and yet, behold, appears
Th' improving progress of two hundred years.

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Advance, Australia! onward to the time,
When every tongue shall name thee happiest clime;—
Shall speak thee parent of a spotless race,
Patterns of Industry—of every grace;—
Before our toil where boundless forests fall,
Rich fruits arise obedient to our call;
Luxuriant Nature yields her choicest stores,
And Fortune waits upon Australia's shores.

On then, ye barks, and bear ye wide unfurl'd,
The British colours to a southern world;
Fast to these shores let emigration flow,
And Britain's sons, Australia's blessings know.

THE END.

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