THE CONSTITUTION OF NEW SOUTH WALES.

(From the Morning Post.)

The progress of Australia has been so remarkable of recent years, that the intelligence from that quarter has ceased to be regarded with surprise or incredulity. The gold discoveries in New South Wales and in Victoria have suddenly raised these districts to a pitch of material prosperity unexampled in the history of colonial enterprise. Whether the mineral resources which they contain will prove a permanent source of wealth, or whether they are doomed to speedy exhaustion, is a question which no one yet can answer; but of the actual results of these discoveries no doubt can be entertained. That they have rapidly augmented population, and stimulated, in an extraordinary manner, both commercial and agricultural enterprise, are facts notorious and patent to all the world. Their effects upon the political progress of our fellow-subjects at the antipodes are yet to be ascertained, and a controversy has been lately raised in New South Wales which may lead to very important consequences. We allude to the form of the constitution to be adopted in that colony—a question which according to the latest intelligence, was agitated with the greatest warmth throughout all classes of the community. We may remind our readers that the onerous duty of framing a constitution was imposed by the Imperial Government upon the Legislative Council of New South Wales. That body accordingly have, in the course of the present year, produced a plan, which has been submitted to the colony, and the merits of which have been canvassed with an extraordinary amount of interest. It has been proposed that the Legislature of New South Wales should consist of two chambers, one to be elected by the colonists, and the other to be nominated by the governor. It is thus the desire of the Council of new South Wales to imitate the imperial model, as far as circumstances will permit, and we cannot but commend the prudence of this resolution. They have even carried their predeliction for the institutions of the mother country so far, as to suggest the creation of a hereditary nobility in the colony. We commend the spirit in which this latter suggestion has been made. It betrays a deeply-rooted attachment to the time-honoured institutions of our country, in a quarter where we had hardly a right to expect it. At the same time, we are not prepared to admit the policy of this recommendation, The institution of a hereditary colonial nobility has been more than once proposed as a means of strengthening the ties which exist between the mother country and her distant dependencies. It was chiefly with this view that, so early as during the reign of James the First, the territorial right of Baronet of Nova Scotia was created; and we believe that the late Charles Buller was in favour of a scheme similar in principle to that now adopted by the Council of New South Wales. At the same time, looking to the antecedents of that colony, it may well be doubted whether it as yet contains materials for such a purpose. In this country the project will certainly be regarded as premature, and we may, therefore, dismiss it at present from our consideration. The controversy at present carried on in New South Wales relates to a question of more practical interest. We have stated that the committee of the Council appointed to draw up the plan of the constitution have recommended that the Upper Chamber should be nominated by the governor. This proposal has met the most resolute opposition from a large and influential party in the colony, who contend that both branches of the legislature should be elected by the people. Great meetings had been held for the purpose of giving expression to these democratic opinions, and the ultimate decision of the question was postponed until ample time had been given for discussion and reflection. The council, we may state, affirmed, by a large majority, the recommendation of the committee, so that the opposition to the scheme was confined almost entirely to a party out of doors, who were using every effort to get up such an agitation throughout the colony as should lead to its abandonment. Should this agitation prove successful, it is impossible to contemplate the results without alarm. *An* impulse and a triumph would thus be given to the democratic element in the colony, which could not fail materially to weaken its sympathies with those monarchical institutions of the mother country. The *American* republic, and not the British constitution, would henceforth become the model for imitation; and the desire for separation and independence would too probably follow. It is for these very obvious reasons that we trust the leaders of this movement may be defeated. Their success in the oldest and most populous of our *Australian* colonies could not fail eventually to influence the destinies of all our other settlements in that quarter of the globe. Hence the importance of the present struggle, and the anxiety with which all who are interested in the preservation of our colonial empire will watch its termination. If we entertained any doubts as to the perils attending the progress of democracy in Australia, they would be dispelled by the recent intelligence from Victoria. In that colony, through an organised system of intimidation, the licence fee exacted at the "diggings" since the gold discoveries took place has been abolished. Even the impolicy of giving way to such demands, it is superfluous to speak; and we trust that the authorities of Melbourne are prepared with sufficient reasons for their apparently weak and inconsistent conduct. It is essential to the best interests of the community that this spirit of insubordination should be checked, not fostered, as it has been, by such unwise concessions. The decision of the question now under discussion in *New* South Wales will, in all probability, therefore, affect other interests beyond those immediately at stake. If, on the one hand, the resolution of the council is confirmed by the public voice of the colony, we may read in that confirmation an earnest of the future stability of its institutions, and of its loyalty to our Queen. But if the "Australian Reform ing torrent of agitation" should bear down all before it at Sydney, as at Melbourne, we may well regard the consequences with anxiety and apprehension. Let us trust, meanwhile, that that spirit of moderation and good sense which rarely altogether deserts our countrymen in whatever circumstances they may be, will finally prevail to resume its sway. We have a striking proof of the conservative spirit of the upper classes of New South Wales evinced in the projected constitution, and if experience and wisdom are weighed in the balance against the crude theories of interested demagogues, we do not despair of the result.

AUSTRALIA.

Australian advices have been received *via* Panama, nearly a fortnight later than those by the last arrival, and thus furnishing another demonstration as to the value of the new route. They are dated Sydney, the 1st Oct., and give a favourable description of the general tone of the market for imported goods. The receipts from the various mines during the preceding week had been large, and the number of persons engaged at them was increasing. A new act for the regulation of the gold fields was to come into operation on the day of the writers leaving. The rates fixed which are to 10s per month and the royalty upon veins on crown lands to 3 per cent., while it also abolishes all extra charge in the case of foreigners. Among the bills just passed in the Legislative Council was one for incorporating the Hunte River Railway Company, and another for the Australian Coal Mining Company. The price of gold was 77s 6d to 78s, and that of the fleece third which had sailed for London on the 30th of September, had taken 13,879 ounces (of which 10,267 are for the Union Bank of Australia), while the clipper ship Wallace Hoag, in port at Sydney a few days, was also to carry a considerable sum. Among the questions under discussion consequent upon the warlike appearance of affairs in England the necessity for fortifying Sydney occupied a place.

DESPERATE STATE OF THE PAPAL TREASURY.—A letter from Rome, of the 29th, says,—" Loud complaints against the ministers and their operations have characterised the first sittings of the newly re-assembled financial council of state; nor will any strength of expression or energy of debate surprise us in future on its part, if we reflect that the pope himself gave it an example of dissatisfaction only a few days ago, by showing himself moved even to tears whilst recapitulating in his address to the councillors the disasterous condition of the state finances. What remedy can be proposed for the evil of an annually increasing deficit remains to be seen, as also whence the money is to come for this year's deficit, amounting to 2,700,000 scudi, about a quarter of the net revenue of the state. There are many methods, and all of them impracticable, especially the last:—to contract a new loan, to impose fresh taxes, to lay hands upon some portion of the ecclesiastical property."

THE EPIDEMIC AND THE "SONS."—It is now ascertained that only seven deaths occurred in the Order of Sons of Temperance in this city during the epidemic. What a significant fact.—*New Orleans Organ.*

Capt. McKay, the builder and owner of the Great Republic, has issued orders for immediate preparations to be made for the laying of another vessel, to be built precisely similar in every respect to the plan of the one destroyed.

IMPORTED CRIME.—By the last census it appears that in the year ending June 1,1850 there were 13,000 natives, including colored prisoners, convicted for crime, and 14,000 foreign. By the same authority it appears, that while we have but about one foreign resident to nine native white, there is a fraction over one foreign-born criminal to every native criminal, including black and white.—*United States Paper.*

SABLE ISLAND.

THE following letter from Miss Dix to a gentleman at New York, pointing out the demand for some measures for the protection of the lives of human life, and of property on the shores of Sable Island, has been published at New York, for the purpose of bringing the facts contained in it to the knowledge of commercial men. These facts came to the knowledge in consequence of a visit which she made to the Island, while engaged in the prosecution of her philanthropic labors for the benefit of the neighboring British Provinces. They appear to deserve the serious attention of the commercial public, with a view to the adoption of some means for remedying the great defects which appear to exist for guarding against the disasters of that inhospitable region.

MONTREAL, C. E., Nov. 2.

SIR:—You ask some account of Sable Island, and its recources as a Humane Establishment. I must reply briefly, assuring special details at the earliest leisure. The Island of Sablon, Sable or Isaul, is a dependency of Nova Scotia, and lies in the Atlantic ocean, in the track of vessels sailing between the Nothern States, and the Peninsula, and Northern Europe. It is divided centrally, by the meridian of 60 degrees 15 minutes, being E. of E. from Halifax, and S. S. E. of Cape Canseau, the nighest point of the main land, and from which it is eighty-five miles distant. The sailing distance, either from Halifax, Nova Scotia or Boston is fifty miles. I have copied a chart of the most recent surveys of the Island and Shoals, by Capt. Bayfield, R. N. and published by authority of the Home Department, which will send it to you with the more special details by-and-by.

Sable Island composed of a succession of low-grassy sand-hills and sand beach, extending in a crescent form, diagonally, twenty-four miles and terminated on either extremity by a superficial beach or bar several miles in breadth; its average width is about one mile. A salt lake traverses the south side, fourteen miles long and half a mile wide, divided from the ocean by a low sand ridge or broad beach: during severe storms, the sea makes a passage at several points into these waters. At the west end of the Lake is a fresh water pond divided only by a narrow strip of grass grown sand. The highest sand-hills attain an altitude of about seventy feet, and rise at the north-east extremity of the Island, near the commencement of the extensive superficial bar, which terminates or reaches beyond this end of the Island proper. The Island in this direction is gaining steadily, while the opposite extremity, as the records demonstrate, has wasted many miles.

Sable Island has, since its discovery, been the dread and terror of mariners in fog and storm. I possess a list of nearly two hundred ships and lesser vessels, belonging chiefly to England and the United States, which have been lost there within the last fifty years. The mariners stationed there told me that it was not uncommon after dense fogs or heavy winds, to find fragments of the wrecks or the cargoes, or parts of cargoes, of which nothing beside was known.

The Island has no harbour, nor any secure anchorage. Vessels wishing to effect communication with the Island, which few voluntarily undertake, anchor about three quarters of a mile from the shore, taking position on the northern side of the Island, when the wind is from the south, and more distant on the south side, when a northerly wind prevails, setting a watch—but weighing anchor and setting sail when a change is threatened.

Shoals and bars make out fully sixty miles from the south side: on the north, the banks fall off to deep water more suddenly.

The Province of Nova Scotia, aided by the mother country, maintains an establishment consisting of eight men, including the same ex-seaman, a good shore worker, and an active boy, who are to render prompt aid whenever a ship is discovered beating in in distress. A regular watch is established; and the beach is walked over in twenty-four hours: in addition, observations are made frequently from the crow's nest on the midland signal staff, when the density of fogs does not close the view.

The Superintendent is authorised to command the time and direct all employment on the Island: himself the second in command, and the third, have their duties assigned to them by the season and their families the Island has no inhabitants. Shipwrecked persons are liable to be detained for several months in winter, and often for many weeks at all seasons, until the arrival of the Government vessel, which is charged to furnish provisions and such supplies as the Islanders require.

Lumber for the construction of the dwelling-houses, work-shops, store-houses, boat-houses, refuge houses, and for fuel is amply supplied by the remains of wrecked vessels.

There are four one-story dwelling-houses: a house of refuge on the south-western extremity of the Island, consisting of a decent room, having a fire-place filled with dry wood, a match box, bucket, tin cup, axe and a bag of sea-biscuit hanging against the wall. There is simply this fitched, written directions are put up indicating the inhabited parts of the Island, and showing that fresh water can be had by digging eighteen inches or two feet into the sand.

On the south side, is another refuge-house, excellently built by the present superintendent: there is another further east, and a good furnished building by the entrance and most occupied portion of the Island, where the seamen and others remain till taken off as before stated.

Good order and good habits prevail. No higher wages are given to those serving here, than to mariners on sailors' duty at sea. There are several excellent surf-boats, but no available life-boat, and no light-house, neither fog-bells. A life-boat was some years since constructed on the Island. It has a double bow and precludes from the safe use of the oars except in perfectly smooth water, and is pronounced by all practised in nautical affairs who have seen it, utterly useless.

The question of building a light-house on Sable Island has been considered; Earl Dundonald, Sir John Harvey, Sir George Seymour, and the present Provincial Secretary, have all advocated the measure, as also Capt. Bayfield of the Royal Navy, and others, masters in the mercantical service. As yet the subject has not been finally acted upon by the civilians who have control in Nova Scotia, but it may be seen how far fog-bells would be useful, not having heard the question referred to at all: but I should imagine that on the northern side these could be placed to great advantage. I should also think blocks of stones to thick heavy chains detaining buoys, bearing a staff and bell, might be securely fixed, as on the coast of Maine, and elsewhere.

I am sorry that I cannot at this time give you other important information. I merely add, that within thirty hours after I arrived at Sable Island, a July last, the Cunard steamer, the largest and new, eight days from New York, with a full cargo of flour and other supplies for the Labrador, came on shore in a fog, on the south side, and was a total loss—of hundreds and thousands.

I am, Sir, yours with sentiments of respectful appreciation. D. L. DIX.

ECONOMY OF LIVING.—The Indian wastes his meat when he has plenty and ties up his stomach tight with a leather thong when he is in want from hunger, and thus endures it patiently till the time comes for another feed. Our people, when in good wages, broil ham costing is. a lb., and brake prime joints in every direction, and throw away the bones; or boil them (but not often) and throw away the water; and when bad times come, they buy bread, and eat it dry as long as they can get it; and then they somehow do without till prosperity comes round again, when they follow the same course. All this is very barbarous. A moderate amount of civilized teaching and care would spread a nutritious, varied, agreeable diet over the whole period, at the same cost, and probably at a much smaller one. But nobody seems to know of the nutritious quality imparted to human food by the process of cooking in water, though we expatiate mightily upon it when the question is of stall-feeding cattle. We stew their turnips and cabbage, straw and meal, and we steam their hay; and we weigh the beasts, or measure their milk, and boast of the discovery in their case (which, by the way, Count Rumford pointed out about half a century ago); and, all the while, thousands of people in this country are living their meat on Sundays, eating it cold while in bed, and then doing without till Sunday comes again; and the laborers are eating bread and potatoes, with a relish of bacon now and then—knowing nothing of the comfort of a stew of vegetables, thickened with meal, and flavored with that same bacon, or something else that is as cheap or cheaper.

SAILS AMONG THE CROCKERY.—A very amusing incident occurred a few days since in Cincinnati, illustrative of the natural instinct of one sheep to follow another. A small drove was coming up the street, and when they arrived opposite the Gibson House, the foremost one made a rush to go into an alley, but a man suddenly commencing out, somewhat frightened the sheep, and it deviated slightly from the true concert, darting into a lamp store followed by the whole flock. The crowd, anxious to witness the sport, instantly blocaded the door, so that there was no mode of egress for the unceremonious visitors, and as the lamp store was too contracted to suit their peculiar notions, and wishing to regain their liberty as speedily as possible, they saw no other means of escape but through the window. One of them made a break, and leaped through the show window, upon the pavement, demolishing in its progress glass ware, china, &c., with an alacrity truly praiseworthy. The crowd immediately fell back from the door, and allowed a free passage, but every sheep jumped through tha hole in the inwodw.

Holloway's Ointment and Pills a certain Cure for Eruptions and all diseases of the Skin.—Extract of a letter from Mr. A. Hird, draper, Keady, dated February 14, 1853.—" To Professor Holloway,—Sir—My child, when three months old, was afflicted with severe eruptions all over the body; I sought every aid and the advice of surgeons and physicians, by all of whom the case was considered hopeless; I then tried your Ointment and Pills, and without exaggeration, the effect was miraculous, for in a short time she was restored to perfect health. Mr Bowden, bookseller, Gainsborough, or myself, would be happy to satisfy any inquirer as to the truth of this statement."

HASZARD'S GAZETTE.

Tuesday, January 31, 1854.

SUPREME COURT SITTINGS AFTER HILARY TERM.

Alexander Robinson, Appellant, *vs.* Francis McQuade, Henry Vickerson and John Stewart, Respondents.

This was an appeal from the judgment of Theophilus DesBrisay, Robert Hutchinson and Peter Macgowan, Esquires, Justices of the Peace, for the sum of Three Shillings and Five-pence Halfpenny, being the amount of an assessment imposed by the Trustees of the St. Peter's Road, Dunstaffnage School District, for the cost of fuel for the use of the School in the said District, for the present year, and the cost of furnishing the said School.

The main points relied on by the counsel for the appellants were, that the requisition required by the 18th section of the Act, necessary to give power to the Board and to set it in motion, was wanting in this case, inasmuch as the requisition in proof was dated in January, 1853, and addressed to the Board of Education then in being under the old School Act, and was presented to that Board for an entirely different purpose, namely, to set out the limits of the old school district,—a power which the impracticable imagined was possessed by the Board;—that this requisition remained in the possession of the secretary of the old Board; but when the present School Act came into operation, in February, 1853, or April, 1853 (it is immaterial which, so far as the merits of this case are concerned), the same requisition coming into its hands through Mr. Cundall, who was secretary to the old and to the present Board. I should think blocks of stones to thick heavy chains detaining buoys, bearing a staff and bell, might be securely fixed, as on the coast of Maine, and elsewhere.

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