

culity, was of course calculated to afford the ordinary colonist substantial protection against the arbitrary action of Government"—E. Jenks, *The History of the Australasian Colonies*, ch. 2-3.

A. D. 1831-1855.—Convict transportation abolished.—Immigration stimulated.—Self-government secured.—Governor Darling was succeeded by "Major-General Sir Richard Bourke, K. C. B., [who] arrived in Sydney on the 2nd of December, 1831. . . . The six years during which Bourke administered the affairs of the colony were not only free from class warfare, but were distinguished by the rapid growth of industry and commerce, and the steady development of national life under new forms. In fact, the history of the colony as a free State, so to speak, may be said to date from Bourke's time. . . . Trial by jury in the Superior Courts—that is, by civilian instead of by military jurors—was granted in an optional form in 1833; and although representative government was still withheld by the Home authorities, the administration of public affairs was conducted by Bourke on constitutional principles, with very little resort to the arbitrary power which had made his predecessor's rule distasteful to the whole community. . . .

The history of the colony during the Administration of Sir George Gipps, a Captain in the Royal Engineers, who arrived in February, 1838, assumes proportions altogether unknown to it under the rule of his predecessors. It is no longer occupied with the melancholy records of the convict class, or the bitter feuds between the Emancipists and the Exclusives. The state of society had changed; free immigration had begun to flow in; capital was introduced by settlers from abroad and invested in sheep and cattle stations; the system of assigned servants ceased in 1839, and transportation itself, which had been yearly growing more unpopular, was abolished by an Order in Council two years later, although it was not finally extinguished until 1851. The most remarkable event of this period was the establishment of a new Constitution, under an Act passed by the Imperial Parliament in 1842. Representative institutions were at length conceded to the colony, although responsible government was still withheld. The new Legislative Council was composed of 36 members, of whom 24 were elected and 12 appointed by the Crown. . . . From 1840 to 1846, the colony was plunged in a state of depression which brought the shadow of ruin to every man's door. This was to some extent the result of a reaction from the inflated state of prosperity which had existed a few years before, when prices of land and stock rose to a fictitious value, and speculation in land absorbed all the floating capital in the country. Among the immediate causes of depression were the cessation of Imperial expenditure on transportation, and the withdrawal of Government deposits from the banks; the consequent pressure brought to bear by those institutions on their customers; the substitution of free labour for that of the assigned servants, necessitating cash payment of wages; the locking up of capital in large purchases of land, which up to that time had been sold at five and subsequently twelve shillings an acre; and indulgence in excessive speculation, by which the ordinary industries of the country were deprived of capital. The result was that every branch of trade and industry fell into a state of utter collapse. . . . Politics

at this time gave rise to a bitter struggle. Certain Crown Lands Regulations which Sir George Gipps had framed and issued in 1844, provoked determined opposition on the part of the squatters. . . . His proposal to tax the holders of Crown lands was denounced as tyranny. . . . The ultimate result was that the Council refused to renew the Land Act framed by Gipps, which had been passed for one year only, and the Governor's land policy was at an end. Sir George Gipps closed his career in New South Wales in July, 1846, and died in England the following February. . . . Sir Charles Fitzroy arrived in Sydney at a time when the colony had entered on an era of prosperity hitherto unknown in its history. . . . In the first speech he addressed to the Legislative Council on its meeting in September, 1846, a month after his arrival, he congratulated its members on the general prosperity of the country—a prosperity the more remarkable, inasmuch as the colony was 'only just emerging from those difficulties which were experienced under that monetary depression which affected all classes of the community.' Among the many striking evidences of the new life which had been infused into the colony at this time, mainly as a result of free immigration and the rapid extension of settlement in the interior, the most conspicuous were the movements set on foot for the construction of railways and the establishment of steam communication with England. The gradual increase in the tide of immigration had greatly contributed to promote the prosperity of the people. . . . Flocks and herds were driven further and further inland as each new discovery made the resources of the interior known; but stock owners and settlers were met with the ever-increasing difficulty of finding a sufficient supply of labour. Convict labour was nominally cheap, but really dear at any price. . . . It gradually became recognized as a principle of State policy, mainly owing to Wakefield's teaching, that the revenue arising from the land should be appropriated to the purpose of promoting immigration. Under that system money was remitted by the Colonial Government every year to be expended by a Board of Emigration Commissioners appointed in London, who selected and despatched the best emigrants they could get. But American competition was keenly felt in the labour market, and the Government had to tempt people to emigrate to Australia by paying half the passage money and offering small loans to mechanics, who could be induced to leave England on no other terms. . . . The conduct of public affairs by the Council, in which [William Charles] Wentworth was the principal figure, had been so distinguished for statesmanlike ability that the capacity of the colonists for self-government could no longer be denied. But a still more potent influence had been at work. The great gold discoveries, which took place in 1849, had, in Wentworth's phrase, precipitated the colony into a nation, and the demand for free institutions came upon the Home Government with a degree of force it was impossible to resist. When, therefore, the popular advocate of self-government obtained a committee in 1852 to prepare a new Constitution for the colony, in pursuance of the powers conferred on the Council by the Imperial Parliament, it was felt that the time had at last arrived when the life-long struggle of the patriot would be crowned with suc-