

DOMESTIC INTELLIGENCE.

BREVET MAJOR IRWIN.

We have this week the melancholy duty of recording the death of Brevet Major Irwin, one of the most gallant officers of that gallant regiment, the 28th, who, after a career of the most distinguished bravery, closed a life of vexation and disappointment, not as he was entitled to for his long and valuable services, in ease and retirement, but still, as a soldier should, amidst the cares and duties of his profession, regretted by his brother officers and lamented by his private friends. Few men have received less public marks of approbation

after so long a service, and fewer still have done more to merit them. In the month of November 1807 he joined the army as Ensign; consequently he has served in arms throughout the years of a whole generation. Thirteen times was he engaged with the enemy in the field; thrice was he wounded, twice severely. These honorable scars distinguished his prowess at Talavera, Vittoria and Waterloo. He was at the Passage of Douro in May 1809, at Talavera in the July of that year, in which he obtained his Lieutenancy. He fought at Busaco, on 27th September 1810; at Campo Mayor, on 23rd March 1811; at Albuera May 1811; at Aroya des Molinas 28th October 1811, when he distinguished himself by taking eight prisoners, two of whom were beaten down by stones. He was found at Almaraz in 1812; at Vittoria 21st June 1813; at Nivelles 10th November 1813; at Nieve 13th December 1813; at Orthez 27th February 1814; and at Toulouse 10th April 1814. It is recorded of him, that in that battle he was ordered to take a mill which was occupied by the enemy, and was fortified by an advanced work in the shape of a high, dry, looped brick wall. Seeing his men falling about him, he threw himself violently against this wall, and actually opened a breach through it, for the passage of his men, who rushing through it with the point of the bayonet repelled the enemy, whose officers immediately surrendered. The last engagement in which Lieut. Irwin served was that which closed for a time, upon the field of Waterloo, the victories of his great Commander the Duke of Wellington and of the regiment to which he was so distinguished an ornament. The Waterloo medal, and two years' additional pay as Captain, were all the rewards his wounds received; the former of which has been received by officers, who, being in the reserve, were certainly within the *scotud*, but not within the *smoke*, of the guns of Waterloo. In May 1816, the subject of this notice obtained his company, and in the same month and year was united in marriage with Miss Blackman of Sligo, who is now left to lament the bereavement of a brave man, and an affectionate husband; who had felt "the sickness which arises from deferred hope" in his latter days, and also had little to expect from the nation in whose service he had bled, but the promise, that perhaps some day he might be allowed to sell an unattached majority, and settle in New South Wales. In January 1837, he was appointed Brevet Major; on 26th May, 1838, the conditional

promise above alluded to was given; and on 12th November, 1840, after waiting two years and a half, he absolved his country from the obligations of that promise, by closing his eyes upon a world, which proves in his case that the gallant soldier has little sympathy to expect from a nation that admits into its religious services a book, in which "the man of war who suffereth poverty" is mentioned as disgraceful to the country that allows it. The funeral took place on Friday; and the body was attended to the grave with military honors, by the officers of the regiment, the Colonel as chief mourner, and by a numerous retinue of the personal friends of the deceased, and those whom respect for his memory called together. Amongst the latter were observed Captain Moffat, Captain Baylis, Mr. Brown, J. P., Dr. Stuart, Dr. Newton, Mr. McCullum, Mr. Langley, Mr. N. Lawson, Mr. Bell, &c. There were two or three veterans also present of the retired list of the regiment, one of whom, decorated with his medal, came to pay his last respects to his old officer, and brother hero of the fight of Waterloo.

The body was preceded through the town by a firing party of one hundred men, by the band of the regiment playing in its best style the Dead March in Saul, and by the Rev. Messrs. H. H. Bobart, W. B. Clarke, and C. Atchison, the former of whom read the burial service in an impressive manner. The pall was borne by Captain Wheeler and Captain Minter, and the coffin was carried by picked men of the company of the deceased. It is not often that the town of Parramatta has witnessed the truly solemn procession of a military funeral of this class; it is, perhaps, one of the most affecting spectacles that can be witnessed. The slow and measured step of the soldiers, the steady appearance of all, the serious looks of some, and the occasional eye suffused with a tear of real regret: the splendid mixture of gaiety and gloom in the erape-covered ornaments of the officers' uniforms, the military pall, the cap and sword of the dead lying on his coffin, and the sweetly pathetic tones of the music, all conspire to render doubly interesting what is, commonly, but a gloomy and sombre show. The splendid service of the Church appears even more impressive from the worldly vanities that encircle the grave, and there is certainly, however barbarous the custom may seem to many, something of romantic excitement in the well-ordered three-fold volley which consigns, in the language of the battle-field, the lifeless body of a departed warrior to that long sleep from which only the trump of God shall waken him.

There was a contrast to this solemn array in the funeral of a little child, who was immediately afterwards interred, in consequence of death by drowning, and certainly the Liturgy of the Church is well adapted to express the comfort of religion alike to the mourner over infancy and innocence, as well as to the followers of the aged and brave.

But one thing appeared to us incongruous, that, however, which is universal in the army; that the band which preceded the dead to his last home with a slow and solemn march, should

that the band which preceded the dead to his last home with a slow and solemn march, should in the retirement of the procession return with a lively air and a quick step; as if rejoicing to get away from the gloom of the grave and the contemplation of the end of human ambition. The poetical imagination may, however, decipher in this altered arrangement the symbols of a different feeling; and tell us, that it typifies not levity and forgetfulness, but rejoicing over completed labours, and congratulation to the dead that his last fight is finished, his last warfare is accomplished.

CHARGE OF FRAUD.—Yesterday Mr. W. C. Roemer was brought before the Police Bench upon a warrant, issued at the instance of Mr. J. T. Hughes, charging him with fraud. From the evidence of Mr. Hughes, Mr. Dodds, and Mr. Morris, accountant, the following circumstances appeared:—In the month of August last, Mr. J. T. Hughes and Messrs. Dodds, Blackett and Airds exchanged their promissory notes for £510. Mr. Hughes passed Mr. Dodd's note to Mr. Roemer, who a few days after went to Mr. Dodds, and said that he did not like the note with Hughes's signature on it, and he wished Dodds would give him another in lieu of it, which Dodds did, Roemer cancelling his name as an endorser, and Dodds (whether in Roemer's presence or not did not appear) struck out the signature of the firm, and wrote on the face of the note that another had been given in lieu of it. A few days since Roemer met Hughes near the Sydney Bank, and said that as Dodds and Co. had failed they would not take up the note, which would be due in a few days, and as in these times, persons should be particular in making arrangements to meet their notes, if Hughes would give him his note for the amount and interest he would take Dodd's note up when it became due. This Hughes, after some demur, agreed to, and on the 11th instant gave his promissory note for £522 15s., at the same time giving a written undertaking to Hughes, as follows: "I have received to day, your note for £522 15s. and undertake to take up Dodds and Co's note for £510." Some time after Roemer had obtained the note from Dodds, he went to him and asked him if he could find the original note, when Dodds, who knew it was on a file in the office, said he thought it was destroyed. Roemer then asked if he had told Hughes about the exchange of the notes, and on Dodd's saying he had not, he begged of him not to tell him, as he thought that he would be able to get another note from Hughes, to which Dodds replied that he did not think Hughes would be such a flat as to give a fresh note, until the old one was given up to him. At this time it was generally known that Dodds & Co were failing. Afterwards Roemer told Dodds that he had got another note from Hughes, with the interest, and begged of him to say nothing about the exchange of the notes. On Saturday, Hughes spoke to Dodds about taking up the note originally given by Hughes to Dodds, when Dodds told him about the exchange of notes, on which proceedings were immediately commenced against Mr Roemer, who was apprehended on a warrant but admitted to bail. Mr

Roemer was apprehended on a warrant but admitted to bail. Mr

Broadhurst, who appeared for Mr Roemer, said that he would offer no objections on technical grounds, as his client was anxious that the case should be sifted to the utmost; but, as the decision of the Bench would have the effect of prejudicing the public mind if there was a committal, he hoped his worship would dismiss the case. The case, he submitted, was got up by the stupidity and malice of Mr Hughes, and had no ground to rest upon. Mr Roemer finding that Dodd's note was useless to him in consequence of being branded with Hughes's name, was anxious, in order to get it discounted at the Bank, to have Mr. Dodd's note without Hughes's name, but did not give up his claim to the original note by taking a new one as collateral security. The undertaking he contended, also, was in the nature of a covenant, on which a civil action should have been commenced. Mr. Foster, in reply, contended that the original note was given up and set aside, and that Hughes was not liable upon it after it was returned to Dodds. Mr. Windeyer said that the whole case resolved itself into the question of, whether the second note was given in satisfaction of the first one; and as there was no evidence to that effect, he thought it was, and that Hughes's liability ceased when the note was given up. Afterwards, when Mr. Roemer learned (although it was not so) that the note had been destroyed, he certainly used a false pretence to get another note from Mr. Hughes. It might be, that Mr. Roemer acted innocently and ignorantly, but he was of opinion that it was a case for a committal, and he therefore ordered Mr. Roemer to be committed, but admitted him to bail, himself in £500 and two sureties in £250 each.

CATTLE.—A mixed herd of four hundred and seventy-seven head was disposed of at Maitland, by Mr. Dodds, agent for the Australian Auction Company, on Friday last, at £1 per head.

EMIGRATION.—Every English newspaper that arrives shews that the subject of emigration is gradually gaining more attention in England. The old established newspapers and periodicals devote columns to the consideration of the subject, while new papers devoted exclusively to its interests are daily springing up. In the *Sunday Times* of July 12, we find an advertisement of a journal which we never noticed before—it is called the *Emigration Journal*, and from the table of contents a considerable portion of its columns appear to be devoted to this Colony. We give the advertisement entire:—*Emigration Journal*, just published, price five pence. Contents—Lord John Russell's bill for the government of New South Wales—Land sales as applied to Immigration—Mr. Grote, and the spoliation of New South Wales—Mr. Vernon Smith and South Australia—Wilful blunders of the 'Times'—A contrast for the working classes—The 'Sun' under a cloud—Religious Institutions at Adelaide—Civil establishments of South Australia in 1840—Markets &c. in Australia—Arrivals of Emigrant ships in New Zealand.—Everett, Finch-lane, Cornhill, Wild, Cathedral street, Strand, and all names

New Zealand.—Everett, Finch-lane, Cornhill, Wild, Catherine-street, Straud, and all news-venders."

MYSTERIOUS OCCURRENCE.—In the year 1838 two sawyers named Lynch and Gordon were acting as mates in the district of Goulburn, where a considerable sum of money became due to them as wages, and on its being paid, Gordon vanished and has not been seen since. Suspicion was aroused that Lynch had made away with him, the suspicion being principally excited by the remains of a white man's fire being discovered near where the two men had been last seen in company, and on the ashes being examined some burnt bones were found among them, which two medical gentlemen were of opinion had been the bones of a human body, but Dr. Gibson, since deceased, being of a different opinion, and Lynch during the investigation having produced a witness who swore that he had seen the missing man going to Port Phillip, after he had vanished from the district of Goulburn, Lynch was discharged and all farther enquiry into the affair appears to have been dropped, till lately, when Lynch was again taken into custody on suspicion of having made away with another man named Sullivan under the following circumstances: It appears that after Lynch was discharged by the Goulburn bench, he made his way to Illawarra, and worked for some time with Sullivan, when a sum of between thirty and forty pounds became due to them. Sullivan called on the gentleman who was to pay the money, and requested him not to pay it to Lynch, until he (Sullivan) was present, and also repeatedly expressed his fears that Lynch would take his life. On the last evening when Sullivan was seen, a fire was near the direction where he and Lynch were known to be, and it was thought by some of the persons who saw it, that it had been kindled by the blacks, but it was afterwards discovered that the blacks in that district on the night in question were in quite a different direction. Lynch soon after called on the gentleman and claimed the whole of the money, alleging that Sullivan had robbed him of £30, and had been seen making off over the range of hills, in the direction of the interior, but it subsequently turned out that Lynch had merely asked a person to swear that such was the case, in order that he might be again freed of the suspicion which was attached to him of having made away with Sullivan. The fire, which had been observed on the night when the latter disappeared, was examined, and several of the bones of a human being were found in it, particularly the cap bone of a knee, and on a minute search among the ashes, a particular button, which had been seen on Sullivan's waistcoat, was found. The cap which Sullivan was accustomed to wear was also found close by. Lynch was immediately committed to take his trial, and pleaded not guilty when arraigned on Saturday last, but wished to have his trial put off till next session, in order to enable him to get three witnesses for his defence, from Wollongong. As a material witness for the prosecution had not been found, but was likely to be got hold of before the next criminal sittings of the Court, the trial was postponed. In the mean time it is hoped that this outline of both cases will be the means of leading to enquiries after the missing individuals, as

well for the sake of the prisoner as to promote the ends of justice.

BOOKS.—Mr. Yates's sale of Books this evening will doubtless attract a large company of our colonial bibliographers. We perceive there are some excellent editions of the works of Smollett, Fielding, Dickens, (Boz), Cooper, Washington Irving, Shelley, &c. together with a miscellaneous assortment of various literature.

We have been requested to state that the Mr. Perry alluded to in the *Herald* of Saturday, as having had an assigned servant improperly transferred to him, is not Mr. Perry of the Liverpool Tavern.

ERRATUM.—The sale of Mr. M'Intyre's stock will be effected by Mr. Lyons, not by the Australian Auction Company, as erroneously stated in our last.

ROMAN CATHOLICS.—The Right Reverend Dr. Polding, Dr. Ullathorne, and Mr. Gregory, embarked for Europe *via* Valparaiso yesterday, in the Chilian brig *Orion*. They went to the jetty in procession from St. Mary's Cathedral, accompanied by a great number of the congregation, and were towed to sea by the *Cloumel*, which had a great number of passengers on board who went down the harbour as a mark of respect to the Bishop.

IMMIGRATION.—We are happy to learn that the *Lady M'Naghten*, which arrived in England in the beginning of July, carried an order from a Sydney firm for five hundred families, which order has been acknowledged, and will be completed forthwith—principally with emigrants from Scotland.