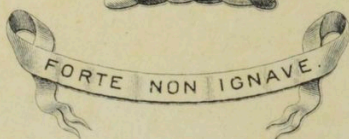


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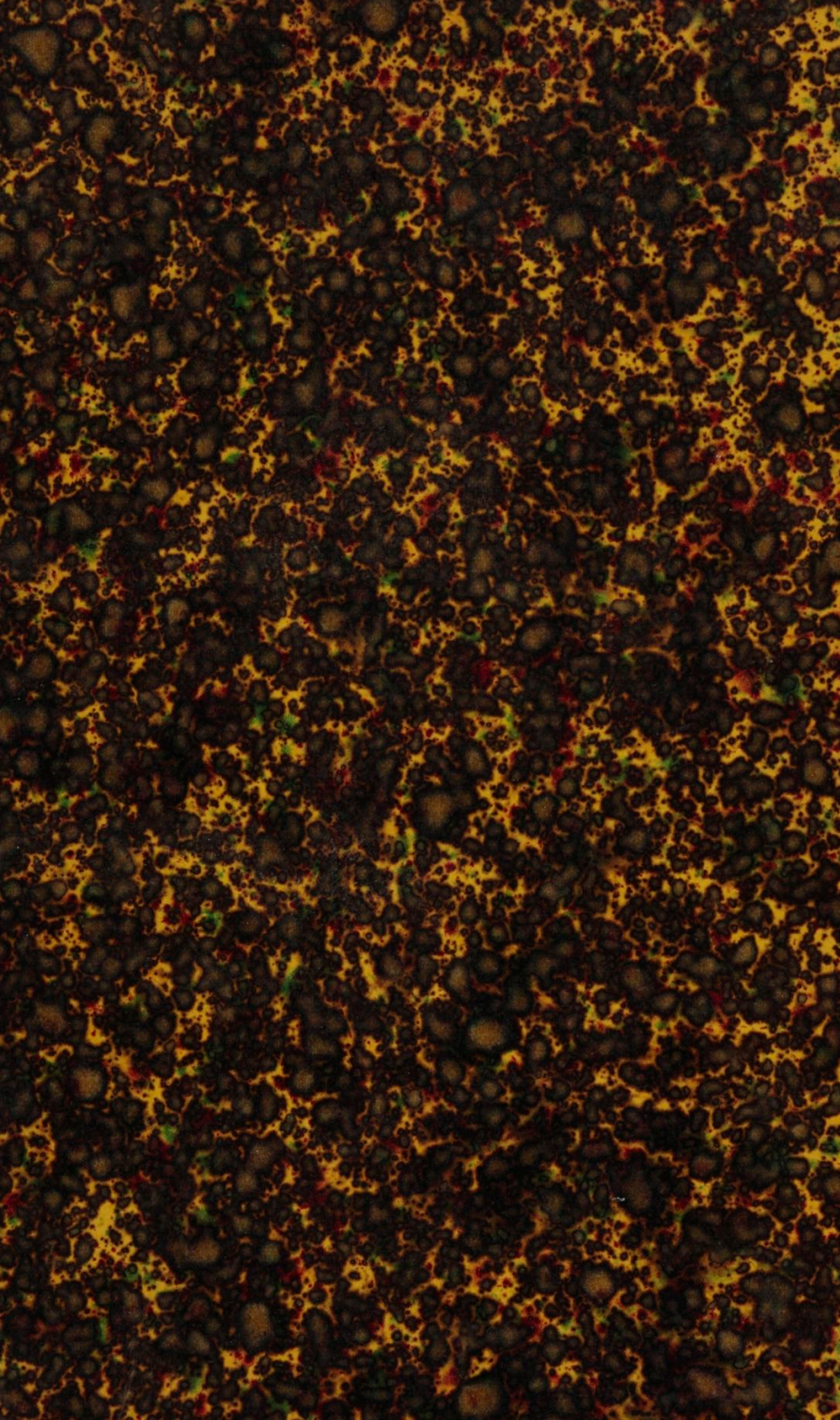
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Alfred Leef.

CASE _____ *SHELF* _____

N^o _____





It being the sole object of the Author, in printing the following pages, to bring them under the notice of parties by whom the subject on which they treat, cannot but be felt to be one of fearful interest; Mr. KENTISH does himself the honor of addressing his Pamphlet to the Magistrates and principal Gentlemen of Melbourne and Australia, but especially to such of them as are largely interested in Live-stock, in the Province of Victoria (and in the Colony of New South Wales;) also to Merchants commercially connected with Flockmasters and Graziers; and as one of respectfully soliciting the favour of his attention.

An erroneous idea being almost universally entertained, that as the Secretary of the (Gentlemen associated with him as) Promoters of the proposed Insurance Company, he (Mr Kentish) is not only indemnified, but liberally remunerated for his services in originating the Assurance, preparing Prospectus, and issuing Circulars to upwards of 1000 Gentlemen interested in the measure, and holding correspondence with many of them; advertising, &c. &c.—it is proper to undeceive the Public, by stating—that except £2 from Joseph Raleigh, Esq., who took an active part in the business; and £1 1s. from Robert Smith, Esq.; the Secretary being purely an “Honorary” Officer hitherto, has neither received nor dreamt of receiving aught from the Gentlemen, who, as an “Honorary Committee” only, fortified him with their names, as “approving highly of his proposals;” but who neither pledged themselves to take shares in the Company, nor to bestow the time, or submit to the trouble of becoming working committee men; consequently the expenses of advertising and printing, rest solely on the responsibility of the Originator; whilst his time and services are no further rewarded, than by the flattering, but somewhat “empty praise,” of the Press and of the Public.

Without, therefore, asking payment from any one, it would be affectation to conceal, that VOLUNTARY payments of the Publisher’s price will be welcome, from such Gentlemen as may be of opinion that the expense of Printing and Advertising, incidental to the introduction of a great and important public benefit, should be borne rather by the eleven hundred Squatters of Port Phillip, (and 2000 of New South Wales Proper,) than by the humble individual alone, who has devoted his best energies—his time and attention to the subject, and who now respectfully submits the result, to “those whom it most concerns”—to Gentlemen whose interests are deeply involved in the subject thus brought under their consideration; with whom it remains, to carry out the proposed ‘SHEEP AND CATTLE INSURANCE, by co-operation with the Originator of the movement; or to reject its benefits, by manifestation of the “APATHY,” imputed to the Colonists, by every Press, and by every man of observation, in the Colony.

By the same Author,

THE AUSTRAL-ASIAN MUSE :

DEDICATED TO THE PRE-EMINENTLY LITERARY, VALUABLE, AND
ENERGETICALLY-PATRIOTIC COLONIST, IN THE
SOUTHERN HEMISPHERE.

In the hope that Literary and Mental Productions, may not be wholly excluded from that support, which it is so universally admitted by the Australian Public, and advocated by the Press, to be true patriotism of Colonists, to afford to the cultivation of Wheat and Wool, and of all other physical products of "the Land we live in;" Mr. KENTISH—in accordance with the suggestion of friends—is induced to submit to his fellow-Colonists, the unpretending effusions of his Muse, trusting that—however humble her merits—amongst his literary acquaintances, and the educated and higher classes in general, of New South Wales, (where, as Editor of the 'Sydney Times,' he had the pleasure to cater for upwards of one thousand subscribers, including almost every Magistrate in that Colony ten years ago,) South Australia, Port Phillip, Van Diemen's Land, and New Zealand, sufficient encouragement may not be wanting to support him in the publication of a perfectly Colonial Work, the whole having been 'perpetrated' in, and no small portion being descriptive of, these several Colonies respectively.

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P.S.—Mr. Kentish takes the liberty of inviting the attention of the Military, in these Colonies; there being few Regiments, in which his name may not be familiar to some of the Officers, as a Professor in the R. M. College, Sandhurst, in 1827-8-9.

* These being already in print, may be seen on application to the Author.

James Weston Esq.
L. R. S.
with kind regards, from
PROPOSALS *The Author.*

FOR ESTABLISHING

IN MELBOURNE, THE CAPITAL OF VICTORIA, (WHICH IS
AUSTRALIA FELIX,)

A COMPANY

ON THE MUTUAL PRINCIPLE,

COMBINING THE ADVANTAGES OF A CAPITAL GUARANTEED—
AND AS FAR AS NECESSARY PAID-UP—BY SHAREHOLDERS,
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VICTORIA SHEEP AND CATTLE

ASSURANCE COMPANY :

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INCLUDING

A LECTURE

ON THE PHYSICAL QUALITIES AND CAPABILITIES OF
AUSTRALIA FELIX.

“ Nemo me impune lacessit.”

BY N. L. KENTISH.

“ Palmam qui meruit ferat.”

MELBOURNE :

PRINTED AND PUBLISHED FOR THE AUTHOR AT THE OFFICE OF
THE “ DAILY NEWS,” COLLINS STREET.

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Dec. 1849.

Price Four Shillings—Boards.

TO HIS WORTHY FELLOW-COLONISTS
OF
AUSTRALIA,
AND ESPECIALLY TO THOSE OF THEM
"WHOM IT MOST CONCERNS,"
THE FLOCKMASTERS
AND GENTLEMEN WHO HOLD SQUATTING LICENCES
FROM THE CROWN,
TO DEPASTURE SHEEP AND CATTLE
ON THEIR SPLENDID AND EXTENSIVE "RUNS;"
THIS EFFORT TO BE USEFUL
TO THE CAPITALISTS AND GRAZIERS,
IN HIS AND THEIR ADOPTED COUNTRY,
IS RESPECTFULLY INSCRIBED,

BY THE AUTHOR.



PREFACE.

~~~~~  
"Nemo me impune lacessit."  
~~~~~

THE few introductory pages, immediately preceding the Prospectus of the Sheep and Cattle Insurance, will, it is hoped, bring *the subject* of this Pamphlet intelligibly before the Reader: but as the Author would shrink from bringing other matters of a personal nature, though connected with it, before the Public, *unless compelled*—the indelicacy of which, is most painful to a sensitive mind; he respectfully craves permission of the candid Reader, briefly to explain *the reasons* which render it a matter of *imperative necessity*—a duty compulsory on him, to do so in the present instance; which, as they constitute his only, so he does both hope and believe that they will be deemed his sufficient apology, and perfect justification, by every Gentleman, and by every right-minded person in Australia, who will support him in the opinion, that CHARACTER *is not less valuable—is not of inferior importance to be vindicated, protected, and upheld by its possessor, than is LIFE ITSELF.*

Of the impolicy, and bad taste, of reviving, and in some degree perpetuating unpleasantries; no one can be more perfectly convinced than the writer; as no one can be more ashamed of a brawl, or more averse to quarrelling than he: further, he is conscious, that the matters which brought his name before the public of Port Phillip, in August last, having passed away, they might be little thought of, unless revived by himself: and as a man of the world he admits, and has in his experience had occasion formerly to observe, that "although a *specific* attack upon character ought to be refuted, lest silence be construed to imply admission of the imputation; yet general abuse may, with propriety, be treated with silent contempt." Not the united strength, however, of these several arguments—each just in itself—can induce the Author to forego a vindication of himself from the slander of the 'Herald,' though of all kinds of slander the most difficult to combat—*inuendo*—the weapon of a literary assassin; or knowingly to *suffer an impression to remain* on the public mind, (*the very object* of his libeller—) that although nothing had transpired to criminate him, there must have been something wrong, or such attacks could not have been made on him by so *respectable* a journal as the 'Melbourne Herald,' clearly *implying* that much was known, though nothing specific brought forward, to his prejudice.

The World is proverbially prone to believe an evil report: and no one knows better than the 'Heraldic' writer, from his ten or twenty years of newspaper experience, that—to quote a vulgar but expressive adage—"if much dirt be thrown, some is *almost* sure

to stick." An effort shall now be made, to prove, that this happily is *not quite* sure, to be *always* the case.

Of course, no one can prove a negative, in a case in which the positive is not only not affirmed, but is undefined and unknown. If, gentle reader, the 'Herald' should, in the plenitude of his power and discretion, be graciously pleased authoritatively to assert of you, that you are *not* a good subject, or to *insinuate* by artfully contrived inuendos, that you *are* a very bad one—*how, could you reply?* Had Mr. George Cavenagh been pleased in honoring the writer with his abuse, to say of him, that he was the greatest rogue or fool in existence; he would only have smiled at his rage, content that the public might judge of this; but when much is *insinuated* to his prejudice, it is not in his (Mr. Kentish's) nature, to endure this, or to sit down tamely under the imputation—which is just what each person may chuse to attach to it: nor, though he did indignantly resent insult, when carried to an extent which was perfectly unendurable by any man of spirit, having the least pretensions to the feelings of a Gentleman, can he submit to an imputation of some kind or other—though he has not the slightest idea as to what, may have been intended, or pretended—being thus affixed to his character, which is, he trusts, as unblemished amongst his fellow-colonists, as that of any individual in Australia, be he whom he may.

If the affair were suffered to drop and to die away—that is, to rest as it is—it would perhaps be forgotten and unheeded by nine hundred out of every thousand persons; but would do the Author the injury of lowering his standard in the estimation, of the other hundred, namely, of educated and thinking persons, whose opinion he chiefly values; and, perhaps, in ten instances, or in a single instance, do him—it might be in the persons of his children—a *serious and irreparable injury*, by heaping obloquy on their father, and even on his memory when he shall be no more. This may not—*this must not—this SHALL NOT BE.* *Therefore*, he submits in an Appendix to this Pamphlet, the particulars of the affair between Mr. Cavenagh and himself, truly, as they occurred, without disguise, without concealment, and with very little comment, transcribed from the Newspaper Press.

That since the cessation of hostilities, the Author's anger is abated, and that he will be actuated in his future proceedings, *solely by the requirements of honor* in every respect, under the existing, and, it may be, somewhat altered circumstances; those who know him, will do him the justice to believe: and for the information of those of his readers to whom he has not the honor of being known, the Author begs to avow, that he is far too great a lover of ease and comfort, *i.e.*, of peace and quiet, to go to law with, or to trouble himself about, any person whatever, *if he can with propriety avoid such annoyance*; and besides such small share of philosophy, as he may have gleaned from the experience of fifty years; *as a Christian*, he is daily reminded how much more it is his duty, and how much more noble it is, to forgive, than to revenge an injury.

Notwithstanding, however, his sincere profession of these *manly* sentiments; the Author most distinctly disavows the slightest

intention to suffer his character, *which has been traduced*, and *wilfully*, and *maliciously damnified*, to remain *unvindicated*, one moment longer than he can help; or of submitting, under pretence of Philosophy or of Christianity, to a stigma being affixed, *unless justly*, to his character: such, would be hypocrisy. Such conduct, would be unworthy of the Christian, of the Philosopher, and of the man of sense and probity. Philosophy, teaches us to endure with composure, ills which *cannot* be cured—Christianity, teaches us to bear injuries meekly, and to forgive our enemies. The author *will endeavour* to do both. But he has yet to learn that either the laws of God or of man, require of a loyal subject, to submit to the imputation of disloyalty—of an honest man to submit to the imputation of dishonesty—of a good neighbour, citizen, and fellow-subject, to submit to the *imputation* of worthlessness.

The replies which the Author made, to the best of his poor ability, through the columns of the 'Argus,' and of the 'Gazette,' to the attacks of the 'Herald,' at the time of their appearance; and a narrative of the circumstances that ensued, as they occurred (chiefly reprint from the Newspaper Press—) will bring the case fairly, it is believed, clearly, and fully, before the reader and the public, who will, on the whole, it is not doubted, judge correctly of the parties *on merits*. This is the thing, and the only thing desired by the Author; and it is his determination, that as it is his misfortune to have been dragged before the Public, and to have been grossly injured, by defamation—not the less, but the more pernicious from its vagueness—artfully contrived, with studied motive, to blast his character, as well as his prospects; if it be impossible to avert the ruin of his fortune—the destruction of his reasonable hopes; he will at least counteract the former and more deadly injury, so far as this may be done, by bringing the particulars of the whole case succinctly before that community in which he desires to be respected according to his deserts: and "a simple tale, speeds best, being plainly told." Not only will his—Mr. KENTISH'S—narrative, be found to contain internal, but also legal evidence of truth: it has not been drawn up subsequently to the paper and personal war, between Mr. Cavenagh and himself; but consists of *records of occurrences*—of *words* and of *deeds*, as they transpired!*

If it be said or thought, that the Author *ought* to let the matter drop now, and submit to the permanent injury of serious but vague imputations, attaching a stigma, indefinitely but not less effectually to his name; he has already endeavoured to explain *his* reasons for thinking otherwise, as being neither a saint nor a philosopher, but merely a man of honor, and a man of the world. The Author may, and does, however, with sincerity affirm, as he is not, nor ever was

* The libels and insults transcribed from the 'Melbourne Herald' in the Appendix, to shew the extreme provocation, which led the peaceable disposed Author, to make the best use he was able, of two very respectable horsewhips; are NOT THE WHOLE of the insolent attacks made on him in that Journal. The Police case, is still more fully reported in the 'Daily News,' than in the 'Argus,' whose Report is adopted as the more concise. Much is omitted in other respects, that would strengthen the Author's case; which, however, it is believed, is already STRONG ENOUGH, and much longer, than wished or contemplated.

capable of harbouring animosity twelve years—nor, he is so happy as to believe, as many days—no vindictive feeling towards his traducer, lurks in his mind; and although he believes it to be indubitable, in fact, notorious and perfectly capable of proof, that in *four* several respects successively, he has incurred *special damage* of a most serious kind, disastrous and ruinous, wholly and solely arising from the malicious insinuations of the ‘Melbourne Morning Herald’—has four times been prevented rising to independence—in four instances, been prevented obtaining honorable employment, of a nature for which he is qualified—by the studied injury, and unwarranted abuse, of an ancient enemy with a Press at his command, but both unconscientious and unscrupulous in his use of it; he would be happy to forego his present action, *if he could do so with propriety*; but he values CONSISTENCY; and there are three several reasons, why he feels it to be his imperative but painful *duty*, to appeal to that sacred tribunal, “his Country,” by her sworn, and he will not doubt, honorable representatives—a jury of “twelve honest men and true.” These three reasons are—first, that the necessity of such appeal is, to every man who values his character, undoubted and palpable; and to abstain from making it, might be construed, not only by the friends of the libeller, but both by the friends and the enemies of the party libelled, as arising from a consciousness on his part, of there being some foundation for the ambiguous calumny; which it is—as it ought to be—his business to refute, in the manner in which such conduct deserves to be refuted. 2dly, The libeller has treated contemptuously the Author’s intimation of seeking redress of such insolence and injury by constitutional means; and even insulted the legal Gentleman by whose professional assistance he (Mr. Kentish) *hoped, and still hopes, to obtain*, not vindictive, but *fair and just redress*—such redress, as may ostensibly at least—(and how difficult—how *impossible* is it, to *really and effectually*?) remove the stigma, which with so much pains and perseverance, has been promulgated and reiterated over and over again, by the Paper said to enjoy the largest and most influential circulation in Port Phillip; and from it transcribed—as slander is too apt to be—into the Newspapers of Van Diemen’s Land, to the anguish of Mr. Kentish’s family; and into those of other Colonies, to his further injury and unmerited disgrace; and not impossibly transferred into the Press of England, to blast his character, amongst his friends and connexions throughout the World. The Author spoke of his legal adviser, as “an eminent attorney;” and he has no doubt that *such* the insolent libeller, will yet have occasion to acknowledge Mr. DUERDIN.

A third reason, for bringing his action, is—that Mr. Kentish *stated*, and that publicly (see Letter to the ‘Argus,’ p.p. 46, 47, dated August 6, 1849—) that “he would do so:” he is, *therefore*, bound to keep his word, or publicly to assign his reason for foregoing his intention. It is no slight matter that ever did, or shall cause the writer, to fail in keeping *his word*—*the bond* of a man of honor. Besides, even had a perfect reconciliation taken place between the parties; and if the party libelled and calumniated were *anxious* to forego his intention; he could not do so, without subjecting himself to the imputation—(not *unlikely* to be cast in

his teeth, as it might be with reason—) of breaking his promise, or rather of foregoing his threat, and of not having been sincere in making it: of the latter, his two letters of instructions to his Solicitor, will leave little room for doubt: of the former, his *deeds* shall remove any and all doubt whatever: as, with the first number issued of this publication, George Cavenagh, Esquire, will have received, together with Mr. Kentish's compliments, a formal Notice of Action, which will be acted on, and the Action prosecuted by the Plaintiff in person, if life be spared to him until the next sittings of the Supreme Court, in this City of Melbourne.

It was conduct precisely similar to that under which the Author is now suffering—vague but sweeping, ambiguous but serious imputations—which blasted the character of that amiable Man, and excellent Viceroy, Sir Eardley Wilmot—afflicted, and for the time disgraced his family, as well as degraded and ruined his Excellency; and ultimately destroyed the writer's just and generous Patron, of a broken heart; and *when the victim had been sacrificed* to anonymous newspaper reports, ambiguous condemnation, and *malicious inuendos*—obtained for him the sympathy of the Nation, through the House of Commons, of which he had been an able, independent, and respected Member. Peace to his manes!

It may not perhaps be *necessary*, but it certainly would not be difficult, for the Author to explain; nor will it be difficult to the reader to conjecture, the reason of the maligned and *ruined* Author having submitted to defer the fulfilment of an intention, which he has not one instant abandoned, since the moment he was reluctantly compelled to form it.

The four circumstances alluded to, in which the Author has, beyond all doubt, sustained *special damage* by the defamation of the 'Herald,' are as follows:—1st. As to the Sheep and Cattle Insurance, which but for malignant abuse of the originator, would have been brought to bear, in August or September last, and in all reason and probability, he would have been elected its Manager; instead of which, both the originator, and also the Flockmasters throughout the Colony, and not a few Merchants—for whose great advantage the Insurance is calculated, and was designed—have been made to suffer, from the curse of a venal and abominable Press. 2nd. It is well known (and might not be difficult, however indelicate, to prove—) that but for these attacks of the 'Herald,' the Author of these pages would have been elected *City Surveyor* a few weeks since; but the conviction on the part of the City Councillors, that suffering the enmity of the 'Herald' Editor, he would be incessantly annoyed, and through him the Corporate Body, by malignant attacks in that journal; and further induced to believe, that, as he had twice horsewhipped the said Editor, he must probably be of a quarrelsome disposition—on these grounds, (all traceable to the libels of the 'Herald,') the candidate whose claims* were admitted by all to be the strongest, *was rejected*.

* In confirmation of this opinion, the Author refers the Reader to any, and every Member, of the Worshipful Corporation of Melbourne; and will be gratified to shew him the papers he sent in with his Official Application; to publish which, being unimportant, though not wholly irrelevant, would be indelicate, as it might appear egotistical: but there is not one Alderman or City Councillor, who cannot confirm what is asserted in the text.

The same circumstances, there can be no doubt, have operated with the local Government, (the 'Herald' being its organ—) to cause the Author to be refused employment as a Surveyor in Port Phillip, also in New South Wales; although his ability is admitted to be as great, and his experience greater, than almost any Government Surveyor in this Hemisphere.

Entreating the Reader's perusal of the Appendix, and of the Letter to the 'Argus,' p. 42, (inserted in the body of the Pamphlet by mistake,) for the fated Author's sake; and of the Prospectus of Insurance Company, and article from the 'Geelong Advertiser,' on Catarrh in one District, for his own sake; especially if a Flock-master or Grazier; the Author begs leave to reiterate his apologies for, and his regret at, being *compelled* to write in vindication of his injured and calumniated "self," by respectfully demanding of the Reader, the conscientious reply of a man of honor, and a man of sense, to this plain question, viz. :—" *If one must submit to be dragged before the Public, by an artful, malicious, and unscrupulous, Publisher; will any man that values his character, say, that it is not incumbent on the person studiously misrepresented, to make the REAL circumstances of the case also public, under the guarantee of his word, or even of his oath to THE TRUTH, in his own vindication?*"

" Who steals my purse, steals trash,
 'Twas mine—'tis his—and has been slave to thousands;
 But he who filches from me my good name,
 Robs me of that, which not enriches him,
 But makes me poor indeed!"

SHEEP AND CATTLE MUTUAL-ASSURANCE
COMPANY.

"Palam qui meruit ferat."

IN order to bring this subject, of such vast importance to the grazing interests, as fully and as clearly as possible, before the Colonists of AUSTRALIA, and the Citizens of MELBOURNE the Capital of VICTORIA; in which City it is proposed to establish its head-quarters;* the originator of the movement, begs leave to submit, with the Prospectus adopted at the first Public Meeting on the subject, (viz., at the Prince of Wales on the 2nd of July, 1849,) an account of all that has since taken place—principally by means of reprint from the Newspaper-Press of the Colony: and as it has been his fate, to be attacked by the *Melbourne Morning Herald*, with a degree of venom and malignity artfully contrived to injure him (a comparative stranger, recently arrived from the suspicious Colony of Van Diemen's Land,) in public estimation; and at last, by aggravated and repeated insult, to have been provoked to chastise such

* It is expected as well as suggested, that a similar Office be established in Sydney; as a Live-Stock Insurance, will be quite as beneficial to the flock masters of New South Wales, as of Australia Felix. Each Colony is LARGE ENOUGH to maintain a separate Insurance Company; but it may be questionable, notwithstanding the rivalry, and even jealousy of the respective Colonies, whether the two Offices, would not be safer and better, as branches of ONE AUSTRALIAN COMPANY in the spirit enunciated in the last line of the Author's Circular addressed to Squatters, immediately following the Prospectus, page 15.

unendurable insolence, with a horsewhip ; and by means of such assault, to be brought somewhat ignominiously before the public of Port Phillip, as the opposite of a peaceable man, (which he nevertheless, believes himself fairly entitled to be considered—disapproving, as he does entirely, of violence, and *never having before in his life raised his hand against another*, since his schoolboy days :) and further, as it is undoubtedly proper, that the character and qualification should be thoroughly sifted, of a man aspiring to a trust of such high responsibility as that of Manager of a Public Company ;— it is fondly hoped, that the respectable community of Squatters and Colonists in Australia Felix, is too thoroughly *British* in feeling, and *manly* in principle, to deny a fair, and it may be, full hearing, to a fellow-colonist, thus cruelly assailed, who, as a Gentleman and Government Officer holding unquestionable credentials from England and from three several Colonies, and well known to Gentlemen of the highest standing in each— also in Port Phillip—is at least entitled to the common justice of being heard in reply to his traducer, and of not being condemned on the base *insinuation only*, of an old, jealous, and it may be, inferior rival editor, whose malignity is notorious, and its cause in the present instance, as palpable as paltry.

It is hoped, that if upon mature reflexion, and the most searching investigation, the Colonists of Port Phillip find, that the author has “ done the State a service,” and that he has been infamously abused in return for originating this much-needed Assurance—their better feelings as Men, as Christians, and as *fellow-colonists*, will not permit them to look supinely on, at such victimization of a man in no respect inferior to his cold-hearted reviler ; and also that their spirit as a body united by mutual and important interests, will not suffer an object of confessedly great advantage to flockmasters and graziers, to be defeated ; merely because the party bringing forward this desirable measure, happens to be in bad odour with a certain individual with a Press at his command, so malignant as to employ it unscrupulously in the denunciation

of his former rival, in consequence of some newspaper feud in 1838, when, as the Editor of the *Sydney Times*, the author's writing must have been more pungent than his recollection is tenacious, as the smart is found not to have worn off, even in the long period of twelve years! On the contrary, it is confidently hoped, that a just and generous community will make common cause with the oppressed, and vindicate his just pretensions, by electing him Manager of the Insurance it has been his painful privilege to originate, for the salvation of many Squatters from ruin, and Merchants from loss—if carried into effect—and for the good of all.

The Paper "on the physical qualities and capabilities of *Australia Felix*, with respect principally to the best remedies of the great evil of the interior (especially the Murray District,) a deficiency of water," which, in accordance with the wishes of the talented and zealous Secretary, and other Members of the only literary and scientific Institution in Melbourne, the author prepared, to the best of his humble ability, and read before the Members of the Mechanics' Institute on the 25th of July; having also been insultingly turned into ridicule by the *Melbourne Morning Herald*; yet, the subject being *not irrelevant* to the Squatters' interests, but being in fact the very circumstance in which the proposed Sheep and Cattle Assurance had its origin, and to which it is hoped that it will yet be indebted for great prosperity; no apology will be required for subjoining it, *verbatim et literatim*, with the author's sincere and unreserved permission to the *Melbourne Herald* and its amiable U.E.E. publisher, to fulminate the accurate and talented, judicious and *impartial* criticism, of his *very* powerful pen, and *unprejudiced* Press; and to the courteous and candid Australian reader, the author's earnest entreaty, to do the writer the justice of reading his essay, and examining both the ideas and the sentiments which he has iterated, and has no desire to retract—to form his own opinion *fairly*, and *to dare to judge for himself*, of the humble merits, or of the heinous demerits, as

alleged by the *Herald*, which may be found to pertain to his effort to be useful, *stigmatised as a "Water Lecture :"* a stigma, of which *he has no desire* to relieve himself.

The gratifying replies to the Honorary Secretary's Circular addressed to each gentleman holding a squatting licence in the Province—of which the first six received, subjoined, may serve as a sample of *Public Opinion of the proposed Insurance*, and be sufficient to shew the deep interest taken in the subject, and general approval expressed of it by the parties interested—the stockholders; afford proof that the intending shareholders, when assembled with a desire to transact business, (probably early in December; at which time a large number of flockmasters may be expected in Melbourne, shipping their wool,) will not lack information or assistance, in framing the regulations for the management of the business of the Company, with sound judgment—so as to combine undoubted security and advantage to insurers and insured; and to confer stability on the most important and beneficial Institution of any that is or can be established, in this extensive Pastoral Country.

VICTORIA SHEEP AND CATTLE ASSURANCE
COMPANY.

A number of Gentlemen, largely interested in Sheep and Cattle, having signified "their cordial approval of the above, as set forth in the following Prospectus;" and in support of the same, having expressed their desire and intention to meet together to take the subject into immediate consideration, and discuss preliminaries; it is hereby respectfully notified,

that such preliminary meeting will take place at the Prince of Wales, Melbourne, this day at twelve o'clock, when such Squatters and Graziers as may be in town, and Merchants and other Gentlemen connected with the grazing interests of the Province, are earnestly invited to attend.

Communications on the subject from Gentlemen in the Country, are also invited.

N. L. KENTISH.

Queen Street,

July 2nd, 1849.

PROSPECTUS.

VICTORIA SHEEP AND CATTLE ASSURANCE COMPANY.

Whilst the business of Assurance in general, is as well understood and acted upon, in the Australian Colonies, as in the mother country, or in any part of the World ; and whilst the interest taken in the subject, has been recently exemplified in a striking manner, by the establishment of a Fire, Life, and Marine Assurance Company, in this City of Melbourne ; *it is remarkable*, that no Insurance is established for that description of property which constitutes *the wealth of the Province* as a grazing country, and which is to the full as precarious as shipping, and infinitely more so, than houses or human life—viz., *Sheep and Cattle*.

The writer, in the exercise of his laborious avocation as a Surveyor, in the Murray District last year, and in an excursion from Geelong to the Westward, becoming practically acquainted with the Squatters' interests, was forcibly impressed with the expediency and with the great importance to the Graziers of Australia Felix, of an establishment in the Colony, in which they might insure their live stock, and thus provide against the consequences of a flockmaster's sheep being carried off by catarrh—the ravages of which epidemic, are,

(though happily, of not *very* frequent occurrence) as destructive, and almost as rapid, as fire.

That there are difficulties in the way of arranging upon safe principles, an establishment which shall secure the flock-master against loss by catarrh, and the stockholder against loss by the complaint known as "blackleg" in cattle, or by any other epidemic disease which might suddenly carry off a flock or a herd—is not denied; neither is it doubted, that such is the cause of so important and desirable an association not having yet been formed. But if a Sheep and Cattle Assurance be a *desideratum* in a pastoral country; it then becomes a question, whether the difficulties opposed to it are insuperable, or whether they may not with care, be effectually surmounted.

That such Assurance is a real *desideratum*, few, indeed, will venture to gainsay. Insurance, has of late years, acquired the character of a science; and when a family becomes involved in ruin, by the destruction of premises by fire—by the loss of a ship at sea, or by the decease of the father on whose exertions they were dependent for support; the pity for the sufferers, is ever accompanied by reproach at their having neglected the exercise of common prudence, in omitting to effect an insurance, which would have averted the evil. Now, in the commodity of which the Squatter's capital consists—live-stock, there is at present *no means in existence* of insuring against great and sudden loss; yet, is no description of property whatever, more exposed to sudden destruction, than *Sheep* by catarrh. Two or three instances are of recent occurrence, which delicacy forbids more particular allusion to; but one instance, within the writer's recollection, may suffice as an example, though it occurred on the Sydney side, i.e., in New South Wales Proper, some twelve or thirteen years ago; when M. Rossi, who had not long retired into the bush, from the office of Chief Police Magistrate of Sydney, had his flocks to the extent of eight or ten thousand sheep, carried off by catarrh, all within a week or

two. In the year 1838-39—a season of fearful drought—scarcely less dreadful were the ravages of black-leg amongst the cattle. Indeed these were the circumstances which gave rise to the commission, consisting of Dr. Bennett and two able colleagues, appointed by Sir Richard Bourke, to investigate those diseases, their cause, and remedy; but it is to be regretted that very little practical good resulted from the enquiry; the calamitous epidemic having in both instances, defeated the most careful researches, of the most able examiners.

No remedy has been discovered; and even the cause or causes which engender catarrh, also black-leg, are by no means agreed on, by the most experienced Graziers and best informed Colonists. What has occurred to others on several occasions, and in various districts, may occur again to-morrow: and *what Squatter* dare assert, that he will defy these visitations of Providence—that *his flocks and herds* shall *not* be thinned, or even destroyed, by the Australian epidemic?

The Merchant and the Householder, seldom have the whole of their property invested in the house or the ship which they with prudence insure; but the Squatter, finding his “Run” the most profitable means of investment, to which he can possibly apply his capital, not unfrequently, has *the entire of his property invested in Live-stock.*

Suppose—not an uncommon circumstance at this time—suppose a Squatter to possess, with a good station, ten, five, or even one thousand breeding ewes; this is a pretty capital, and with management, will in a few years secure independence, *provided all goes on well.* But if this be the whole of the Squatter’s capital; and from the great depression in the price of wool—from some sudden loss or other casualty, he happen to be in urgent need of funds for any particular purpose, or merely to provide his supplies and carry-on to the next shearing—*What is he to do?* He must either sell at an immense disadvantage, in a bad market, and the very

stock he is wishing to improve and breed from ; or perhaps be destroyed and driven to insolvency ; for, notwithstanding the recent Act to enable live-stock to be mortgaged ; the merchant or banker, well knows the instability of his so-called “ security ” on sheep and cattle, which may be well to-day, and dying by thousands to-morrow ; hence, the difficulty to effect even a small loan, on mortgage of live stock. But let an Insurance upon sound principles be established, in which the Squatter may on moderate terms insure his flocks and his herds, against loss by the ravages of any sudden disease ; and whilst his comfort and security are both augmented, and he may lay his head with less anxiety on his pillow ; his facilities will be increased, of obtaining in Melbourne, pecuniary assistance, at a time when a hundred or two of pounds may prove salvation to him ; and the bankers and merchants in town, will cordially sympathise and participate with their country friends, the Graziers of Port Phillip, in the advantages which a Sheep and Cattle Assurance would afford—restoring confidence to both.

Assuming the advantages and the desirableness of a Sheep and Cattle Assurance Association, to be admitted ; the following arrangement—subject of course to discussion and improvement—is suggested.

1. This Association shall be assimilated as far as practicable with perfect security to the insured, to *the principle of Mutual Assurance*.

2. The liability of each person, shall extend to one-fourth of the value of his stock insured ; but no call whatever shall be made, except in cases of emergency, and under the sanction of the Directors.

3. No person shall insure less than the whole of his Sheep or of his Cattle : the terms proposed, being one per cent. on Sheep, and half per cent. on Cattle, estimated at the moderate rates of—sheep, 7s, and lambs, 4s in the wool, or 5s 6d and 2s 6s shorn ; Cattle, £1 10s per head ; and Yearlings, 10s ; Horses, — per head.

If these premiums do more than defray the liabilities, and necessary expenses of the Company and its management, the surplus shall be invested at the discretion of the Directors in their names as Trustees. If found insufficient, such call shall be made, as may be requisite to reimburse any insurer whose claim on the Company shall be established.

The Company shall guarantee by the policy issued to each insurer, to make good to him the loss of any sheep which shall die of catarrh, or any cattle of the disease known as black-leg, or of any epidemic disease, which could not have been prevented by ordinary care and attention.

A sworn Surveyor of Stock shall be appointed the Company's Agent in each District of Port Phillip; and experienced graziers, whether stockholders or superintendents, may be appointed Honorary Agents of the Company by the Directors. In any case of catarrh or black-leg appearing in any flock or herd; the owner or person in charge may, with the concurrence of any two agents (the Surveyor of Stock for the District being one if possible)—slaughter any sheep or cattle infected, so as to stop the spread of the disease; and shall be reimbursed for the loss, with other healthy stock of the age and description of that destroyed, or by a money payment of the amount of loss sustained; the insurer acting *bona fide* towards the Company, in taking care of the skins, and boiling down the carcasses for the fat, as he would do for himself, to the best of his ability under the circumstances.

CIRCULAR

*Addressed with the Prospectus, to each holder of a
Squatting Licence in Port Phillip.*

Queen-street, Melbourne, July 3, 1849.

SIR,

In accordance with the announcement on the other side, which appeared in two of the Melbourne Journals; a Meeting

took place at the Prince of Wales yesterday, and a Provisional Committee was formed of twenty-four Gentlemen interested in the prosperity of the Colony—both Stockholders and Merchants—by whom a Public Meeting will be convened, to discuss the object in view, and to pass the Resolutions necessary to give effect to the wishes of the promoters of this Association; viz.—TO ENABLE STOCKHOLDERS to convert their VALUABLE but INSECURE property, into VALUABLE SECURITY.

To aid the Committee in preparing the Resolutions which it may be proper to submit to a General Meeting of Stockholders and Gentlemen interested in live Stock; it is desirable to ascertain the sentiments of Graziers throughout the Colony. On behalf of the Committee, I therefore do myself the honor of addressing to you this Circular, requesting to be favoured with a reply at your earliest convenience, IF YOU DEEM THE OBJECT of the Association, on its own merits, ENTITLED TO SUPPORT.

The value of your answer will be greatly enhanced, by stating WHAT STOCK you would desire to insure; and by the mention of any instances of Catarrh or Blackleg, which have occurred in your District, with such particulars as you may feel at liberty to give—referring to the party by initials, so that it may be known to be the same, if mentioned by another. Such communication will of course be treated CONFIDENTIALLY, by the Committee, who have no curiosity to gratify, but only wish for Statistics on which to base their calculations, as to THE RATE per cent., which it may be proper to fix for insurance. It is also thought by some Gentlemen, that it would be desirable to include in the risks insured against—destruction of Sheep or Cattle by the Natives, which sometimes befalls the pioneers of the Squatters in unsettled Districts.

Should you so warmly approve of this Assurance and of its principles, as developed in the Prospectus, as to desire to be enrolled amongst its promoters; upon receipt of such intima-

tion, your name may be included in the list of Gentlemen avowedly in favor of the project, by whom a Public Meeting of Colonists interested in live Stock, will be almost immediately convened, to form the Association, and establish the Assurance on a firm and permanent basis.

Any useful suggestion will be well considered, and thankfully received, by the Committee.

Ludicrously superfluous, as the suggestion may appear to many ; it may not improbably PROVE of SERIOUS IMPORTANCE TO SOME Squatters, to heed, that NOW, whilst their sheep are in perfect health, is precisely THE TIME to insure ; for, on the first symptom of catarrh appearing on their Run, the risk must be entirely their own ; their Stock being no longer insurable when disease is discovered or suspected to exist. If the Insurance become very general throughout the Colony, probably even less than one per cent. may suffice ; if comparatively few Graziers insure, a higher premium will of necessity be required. The more widely the Insurers are dispersed over the Territory, the greater will be the security to each, afforded by all.

I have the honor to be,

Sir,

Your very obedient servant,

N. L. KENTISH,

Hon. Secretary,

REPLIES

To the above, as received.

Craigen Burn, Merri Creek,

17th July, 1849.

SIR,—

I am in receipt of your printed Circular of the 3rd June last, with Prospectus of the Victoria Sheep and Cattle Assurance Company ; and in accordance with the

request contained in the former, beg to make a few remarks upon the subject.

I quite agree with you in the desirableness of the stockholder being enabled to insure his property against the ravages of catarrh and black-leg; but I fear, that from the great apathy of the Settlers, who are resident in neighbourhoods in which these diseases are not prevalent, that an Assurance Company upon the Mutual principle, would not answer.

Life Assurance, which is now so well understood at home, is effected by establishments of three different kinds, Proprietary, Mutual, and Mixed. The last of these, in my opinion, would be the most suitable for the establishment you propose, as the ample subscribed capital which it would have, would give the Settlers confidence in the stability of the Society; while the return of a portion of the profits to the insured, would prevent the premiums pressing too heavily upon them, as from the want of data to fix the amount of premium to be charged at first, for the security of the Society, such premium would require to be larger than future experience in the business might render necessary.*

I am of opinion, after having witnessed how speedily the Victoria Fire Insurance Company was established in Melbourne, that a Society such as I have above suggested, would take equally well, and I should be glad to take shares in it.

The manner of effecting Insurances would, I presume, be much the same as that adopted in Life Insurance Companies. There would be forms of proposals containing very sifting enquiries into the locality where the stock were depasturing, whether the stock were ever diseased, or any diseased stock ever were upon the ground, or in the neighbourhood, &c., &c., which would be signed by the applicant; there would also be a document containing similar queries, to be signed

* This admirable suggestion of Mr. Mackenzie, it will be seen by the "MINUTE of the Hon. Secretary," detailing the principles on which it is proposed to carry out THE OBJECT of the Committee; IS THAT ADOPTED.

by a neighbour; and the same precautions taken against mis-statements or concealments as are adopted by the Life Insurance Companies. I would suggest, that the Society should have several portable melting machines, for the purpose of sending to any station that might have sheep dying from Catarrh, so that as much tallow might be got from them as possible. There is one or more Sheep and Cattle Insurance Company in Scotland: if their Rules and Regulations could be procured many valuable hints might be obtained from them for the establishment of a similar Society here.

I am, Sir,

Your most obedient servant,

DANIEL MACKENZIE,

Bailieston, River Goulburn.

N. L. KENTISH, Esq., Hon. Secretary,
Victoria Sheep and Cattle Assurance
Company, Melbourne.

Nairngal Creek,

July 25th, 1849.

SIR,—

I received in due course, your Circular respecting the Insurance of Stock—the object is certainly much to be desired, and I shall be glad to avail myself of the opportunity to insure my sheep, which at present amount to about eight thousand.

With respect to catarrh in sheep, or black-leg in cattle, I have never heard of a case of either in this neighbourhood.

I am, Sir,

Your obedient Servant,

WILLIAM ROWE.

To N. L. KENTISH, Esq.

Weatherboard, near Geelong,
July 26th, 1849.

SIR,—

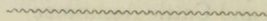
Being favoured with the Prospectus of the "Victoria Sheep and Cattle Assurance Company," I would beg in reply to say, that I am not at present prepared to authorize my name "to be enrolled amongst its promoters;" but, that on seeing the plans more fully carried out, I will be then able to make my decision.

I am, Sir,

Yours obediently,

GEO. D. MERCER.

N. L. KENTISH, ESQ.,
Queen-street, Melbourne.



Mr Furlong's Station,
Woodstock, District of Bourke,
August 4th, 1849.

SIR,—

I take the liberty of making a few remarks in reference to the Sheep and Cattle Assurance Company, now in embryo. Warmly applauding the spirit of the Prospectus, I am of opinion, that in the details a few improvements might be suggested; and it is from your own invitation, that I venture to suggest them.

It appears to me that it would be premature for the Company to secure Stock against any other than *specified contingencies*. I am led to make this remark from reading the words, as they are in the Prospectus, against catarrh, black-leg, or any other diseases. In my humble opinion, it would be better for the Company to confine their insurances to these two diseases, for, they are the only two epidemics which have yet made their appearance among our stock. I would not

be understood to insinuate that there is a probability of other diseases than the catarrh or black-leg visiting us ; still, it is quite possible that such an event might happen, and the possibility of such an occurrence establishes a point worthy of your consideration.

As to the price that sheep ought to be insured at, I think it would be better to have a fixed price on the animal, whether with or without the wool, subject to alteration only in the event of the *marketable* value falling or rising 35 per cent. It is true, that there is a great deal of difference in the value of sheep, either before or after being shorn. Still I think it would be better to value the animal when his fleece is half-grown—say at 5s. subtract from that, the 1s 4d which the proprietor is to bear the loss of, &c.—leaves 3s 9d. This method I think, would prevent confusion : at all events, whatever the price may be fixed at, it would be better to value the sheep when the wool is an average growth, i.e., half-grown ; for it is worthy of notice that the season when the wool is in the above state, is the season the Catarrh does all the mischief.

There is no mention made of classing the sheep to be insured. In my opinion, there ought to be three distinct classes, viz. :—

- 1st Class.—Sheep which have never been diseased.
- 2nd Class.—Sheep which have had foot-rot, cutaneous, or other diseases which produce debility.
- 3rd Class.—Sheep which at some period have had the catarrh.

The first-class may be insured at one per cent—the second at an advance of a half per cent—and the third at double the first, viz. : three per cent—and if they have been diseased within a twelvemonth from the date of insurance, the charge should be five per cent.

In conclusion, I may add, Sir, that every person with whom I have conversed on the subject, concurs with me in expressing a hope that the scheme will go on, and they also

hope that you will meet with that reward which the originator of such an admirable scheme merits.

I am, Sir,

Your obedient servant,

J. H. VIRTUE.

N. L. KENTISH, Esq.,
Melbourne.

P. S.—The Company might reserve to itself the power of clearing off the class of Sheep insured at the rate of five per cent, in the event of their finding it to be to their interest to clear off any sheep which have been recently diseased.

J. H. V.

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River Goulbourn,  
5th August, 1849.

Sir,—

I have to acknowledge the receipt of your Circular, dated 3rd June, containing the Prospectus of a Sheep and Cattle Assurance Company. I approve of the principles of the proposed Association as developed in the Prospectus, but do not wish my name to be brought prominently forward as a promoter of the project.

I have no doubt that great advantages will accrue to the sheep and cattle holder, if the insurance can be effected on sound and sure principles; and would insure from eight to ten thousand sheep, as also cattle, when the Association should be permanently formed.

It is suggested that no profits (if any,) should be divided amongst others than *bona fide* stock insurers.

I am, Sir,

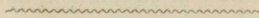
Your obedient servant,

JOHN COTTON.

N. L. KENTISH, Esq.,  
Queen-street, Melbourne.

It is perhaps unnecessary to publish more of the answers which have been made to the Hon. Secretary's Circular; who, to avoid a distinction which might be deemed invidious, in selecting from the replies with which he has been favored, has taken the above letters in the order in which they were received; and trusts that their publication in support of *the object* in view, cannot be objected to, by either of his correspondents, whose polite attention, and gratifying support, he has the honor to acknowledge with his best thanks.

If, in addition to letters with which he has been favored, the Secretary were to attempt even an outline of all the communications orally received from Gentlemen, Merchants, and Bankers, as well as Flockmasters, in connexion with *the subject*, he would extend this thin Pamphlet to a thick volume: he will therefore content himself by assuring the reader, that the tone and tenor of his communications from the public in general, have been precisely as expressed by every Newspaper Press that has adverted to the subject, viz: most decidedly and most warmly in favor of the Assurance, as a great and much-needed public benefit, that without injury to any class, or any individual whatever, will be a blessing to all classes of the community, but especially to the grazing interest.



*The following are the notices by the Colonial Press:—*

#### IMPORTANT TO SETTLERS.

A proposal is made for starting on the Mutual Insurance principle, a Company to be called "The Victoria Sheep and Cattle Company," for the purpose of affording the owners of live-stock the opportunity of insuring their property against sudden casualties, such as the catarrh in sheep, and the black-leg in cattle. Considering the security which such an institution would yield to the settler, and the vastly increased

facilities it would afford for obtaining advances on liens of wool or mortgage of stock, we are disposed to consider the suggestion a highly desirable one, and deserving the serious attention of stockholders. As there are a large number of gentlemen in town attending the Government Land Sale, to whom this proposal must be very important, we would recommend a perusal of the Prospectus, which is open for inspection at the office of Mr. KENTISH, the proposer of the Company, at the corner of Queen and Little Collins Streets. —*The Argus*, June 28, 1849.

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#### SHEEP AND CATTLE ASSURANCE.

Public attention has been directed to the subject of insuring live-stock against the loss occasioned by the ravages of epidemic disease, by the Prospectus of a proposed Sheep and Cattle Assurance, which appeared in our advertising columns last week.

The subject is one of undoubted importance to the whole community in this pastoral country; and when the attention of the Squatters generally, shall have been directed to it, by a circular from the originator and Secretary of the incipient Association, (which is now in circulation, and a copy of the document before us,) there can hardly be a doubt of the measure being as extensively carried out, as the principle *per se*, is universally admitted to be good, *i.e.* sound and politic.

*Apathy* with respect to all public matters, or measures calculated to be of public—not private—benefit, is notorious. However desirable or excellent any object may be, the old adage applies, “what is everybody’s business is nobody’s,” and unless, in the expectation of some peculiar advantage, or in the hope of benefitting more largely than others, very few Colonists are to be found, whether graziers or merchants, (the classes chiefly interested in live-stock,) willing to abs-

tract from their counting-houses in the City, or from their Runs in the country, the smallest portion of that time, or of that exertion, which they so assiduously bestow on private enterprise. Hence, the obstacles which Mr. KENTISH has, or *had* to contend with, in forming this most desirable Association, which that Gentleman originated, from having become acquainted with the necessity of such an institution, by observation and practical knowledge of Squatting Runs acquired in the Murray and Western Districts last year, as stated in his Prospectus. It was, however, quite accidentally, that the project was brought before the public so soon. As a well-informed-Colonist, and Government Officer of twenty years extensive experience, known to have both thought and written much on Colonial affairs, Mr. KENTISH, on joining the Institute, on his recent return to Melbourne, was solicited to afford his services as a lecturer, and consented to prepare a Paper "on the physical qualities and capabilities of Australia Felix," in which he proposed to mention a Sheep and Cattle Assurance, as one of the several means which had occurred to him as *desiderata* towards the advancement of Port Phillip. The assemblage of Country Gentlemen at the Government Land Sale, induced Mr. K. to draw up the Prospectus; and when once open for inspection, it obviously became desirable that it should be transferred from MS. into print.

The Resolution agreed to, at the "Prince of Wales," on Monday week last, declaratory of approval of the proposed Assurance on the mutual principle, as developed in the Prospectus, constituting the subscribers a Provisional Committee for carrying out its object, viz. :—to enable Stockholders to convert their *insecure property* into *valuable security!* is already signed by thirty or forty gentlemen, all interested in the prosperity of the Province, and directly as Stockholders, or indirectly as Merchants, &c., connected with its pastoral wealth.

But nothing could be more opportune than the announce-

ment of this Assurance ; for, as may be seen in our publication of Friday last, the Secretary of State has intimated to his Excellency Sir Charles Fitzroy, by despatch, dated Feb. 17th, that it is his Lordship's desire that the Act of Council sanctioning liens on live-stock by way of mortgage, which expires with the present year, should *not be renewed*.

Whether this mandate of the Downing-street Autocrat, be good or ill-policy ; justifiable or unjustifiable ; possible to be obeyed, or impossible ; it is not so much our present purpose to enquire, as to remark, that if the Act should be renewed, the Assurance we are now considering, will afford to Squatters facilities, and to both Squatters and Merchants or Bankers, security, in availing themselves of it ; but if the Act be *not renewed*—(and it is beyond all doubt *unconstitutional in principle*—) then, will this Sheep and Cattle Assurance be doubly valuable—of increased importance, and of indispensable necessity. In fact, it will prove the salvation of the Colony.

Much, therefore, it is to be hoped ; and earnestly would we impress on our readers, and on the public at large, that the subject should be taken up cordially by all classes interested in the pastoral wealth of the Colony. And, *what* class, we would ask, is *not interested*, directly or indirectly ? If the Insurance of Sheep and Cattle become general—as we do anticipate on the innate and unalterable principle of *self-interest*, that it will—even less than one half per cent. will probably be all the premium required on policies. And *who* will have the fool-hardiness to abstain from insuring ? Some gentlemen, it is said, have been heard to say, that “ their Runs and their neighbourhoods, are so free from catarrh, that THEY deem it quite *unnecessary* to insure.” SOLOMONS ! Were it otherwise, they would find it *impossible* ! These are precisely *the* Stockholders—*the* persons, and *the only persons* who can and ought to insure. If their sheep were, or should chance to become diseased, or suspected of catarrh amongst, or even near them, (and who does not know how unexpected,

how sudden, and how fearfully fatal is the epidemic, and that *its first appearance must be, where it was before unknown, and probably unsuspected ?*) *they would not be insurable!* for, with quadrupeds, as with the biped Man, *it is only whilst in perfect health* that an insurance on life *can* be effected. The instant that catarrh appears, or is even suspected, that instant the owner of the flock is exactly *one instant too late* to effect an insurance; for an obligation will be laid upon both the Owner and Superintendent, to be corroborated by two neighbours of undoubted integrity and judgment respecting Stock, that to the best of their knowledge and belief, the whole of the sheep and cattle on the run, proposed for Insurance, are healthy, and *perfectly free* from disease.

*What*, then, will be the feelings of a Flockmaster, who, for the paltry saving of ten or twenty shillings per hundred pounds, shall have neglected—perhaps refused—to insure; when his shepherd compels him to the pen, to look at perhaps one single sheep, uttering the *simple, but THRILLING observation*, “I hope, Sir—I hope it aint “catarrh!” *What* must be the *sensation*, occasioned by this one word, to an owner of ten, twenty, perhaps fifty thousand sheep on his run? *What?* That of electricity, or of a galvanic battery on his most unhappy nerves!—*Melbourne Daily News, July 11.*

[CONTINUED.]

IN a recent number of this Journal (the 11th instant,) we directed public attention to this important object, at that time announced by the very plain and satisfactory Prospectus of the originator, and now in progress of formation.

We are induced to recur to the subject, by the fact, that a meeting of the Provisional Committee, (forty-two, we are informed, in number—who have signed the resolution, declaratory of the object having their entire approval and cordial support,) which was to have taken place on Saturday, is deferred till to-morrow. (*Vide* advertisement.)

The Honorary Secretary, it is understood, has drawn up the Regulations, Policy, &c., in accordance with the wishes of the Committee, and that his proposals have met with very decided approbation generally. The principle is said to be, a Share Company to guarantee losses; but the Insurers to participate in the profits with the shareholders, by a division *pro ratâ*, every three years. This is the system of the *Alliance*, and other Mutual Assurance Offices in the mother country.

Out of forty-two men of intelligence, wealth, and position, if but twenty-four meet together when they next promise to assemble, it is quite certain that they, or half that number, consisting of influential names, such as RALEIGH, SPLATT, BLACK, POWLETT, CAMPBELL, BEAR, the MAYOR, and other Gentlemen extensively interested in town or country, or in both—may transact business not only as well, but better than in the midst of a large assemblage of persons, frequently more wordy than wise. It is, however, a question worthy of their consideration, whether it would not be better—that is, more satisfactory to the public—for the highly respectable Committee, in their own names, to convene a public meeting of their fellow colonists to join with them in adopting the plan which they propose, and to act with them in receiving their Secretary's Minute, drawn up on their behalf; or whether, after having agreed in Committee to the particulars in detail, they should announce them to the public, and invite their fellow colonists to join them, who approve of their arrangement.

In our former article on this subject, we pointed out the folly of persons who might object, or neglect, to insure their live-stock, because their flocks and herds are free from epidemic disease—the very reason they should, and the only condition on which they will be permitted to insure, just as with human life.

We have heard that a gentleman possessed of some three or four score thousand sheep, is understood to hold the

opinion, that he and other Flockmasters so very largely interested, had better be their own insurers, than pay a premium of one, or of half per cent., on 10 or £20,000 as is the case with the proprietors of ships or of houses. Now, this argument has reason in it; and we are quite prepared to admit the principle, and to agree with each Flockmaster, who holds ten, twenty, thirty, or forty thousand sheep, that he will be quite wrong to insure, *if his thousands of bleaters are in forty, thirty, twenty, or even ten different and very widely dispersed Runs.* But, *if very many thousands happen to be on one Run, or in one District—WHAT, if that District, or even that Run, should be attacked?* The owner would find himself in the position of a gentleman at Manchester, who, having forty or fifty houses, said he could afford to lose one now and then, as it would cost him more to insure them all. His town property consisted principally of *one row* of new handsome houses, letting at £60 a-year each. A fire took place in one, and consumed and injured twenty or thirty of them! They were *uninsured!*

The combined principles of a Mutual Assurance and Share Company, promise well, and are very highly approved: and, if the Sheep and Cattle Assurance does not, very shortly, become the most profitable and popular, as well as decidedly being the most important Association in this Province, we will confess to be very much mistaken.—*Melbourne Daily News, July 25, 1849.*

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### INSURANCE OF STOCK.

OF all the discoveries of modern times, none has given such an impetus to commerce and production as the principle of insurance; the merchant, the farmer, the manufacturer, the tradesman, all save themselves from great losses or utter ruin by insurance. To point out the advantages of insurance

against risk, would be to insult the common sense of our readers. We are, however, happy to perceive that an effort is now being made to establish a Mutual Stock Insurance Society, and trust it will prove successful. Hitherto the fears of the settlers have been excited, and their energies have been cramped, by the want of any means of providing against the risks attending their particular branch of industry; this has no doubt often retarded adventure and prevented production; it has done incalculable injury to the colony and to private individuals. The proposed Association, to be useful, must be settled upon a popular and a safe basis; it must insure against catarrh and all the other "ills to which stock are liable;" it must adopt proper precautions against the spread of disease, and place Squatting in the respect of Insurance, on the same footing as other branches of industry. This journal has long urged on the community, the necessity of such a measure, and also of having stock killed immediately that epidemical disease of any kind exhibits itself; this would soon eradicate disease, and prevent the necessity even for Insurance, otherwise than as a protection.

A meeting was called yesterday at the Prince of Wales Hotel, but we regret to say, considering the importance of the subject, it was not so well attended as it ought to have been. Arrangements were however made by those who were present, for forming a Provisional Committee to arrange for a public meeting to discuss the subject, and, if possible, make the necessary arrangements for forming a Mutual Association for Stock Assurance.

We are not so much inclined to support the proposal to establish this Association as a permanent Company, as for the purpose of speedily eradicating catarrh from the District, which we are certain would follow, upon its coming into operation. We shall recur to the subject in a future number at greater length.—*Port Phillip Gazette, July 3, 1849.*

[CONTINUED.]

THAT some such institution as that brought forward by Mr. KENTISH, for the insurance of live-stock against epidemic disease—(the liability to which scourge, however little apprehended by the Flockmasters, has hitherto been, and yet is the sole but great objection to sheep as an investment, or as “security” for advances,) is a matter of the very highest importance in this Colony, whose wealth consists of live-stock, and whose staple commodity and export is the *Golden Fleece*; is a matter beyond all doubt, “affecting,” as observed by a Geelong contemporary, “every man, woman and child in the Province:” and that this is no new opinion of the *Gazette* may be seen by reference to our columns as long ago as the 15th of April last year. Indeed, there is a large Committee now co-operating with the originator, to carry into effect this much-needed institution, which will be of far greater benefit to the Province, than any other Assurance or Institution whatever in Australia Felix.

A meeting of the Committee will take place at the Royal Hotel, at one o'clock on Saturday, to consider the draft or outline of the proposed Assurance, as carefully prepared by its zealous originator, at the request of some, and in conformity with the wishes of all the members of the Provisional Committee. There were but very few Gentlemen present at the Meeting on this important subject, held at the Prince of Wales Hotel, and little interest appeared to be taken in the matter; but we believe Mr. KENTISH is about to call a public meeting by a requisition to the Mayor, when the matter will be fully discussed, and the project either taken up, or allowed to fall to the ground. We do not agree with the plan put forth in the Prospectus, but we are of opinion that the institution upon another basis, similar to that proposed by ourselves on the occasion above alluded to, might be tried, for *something ought to be done*;

the case of the Squatter being a hard one, as graphically pointed out in Mr. KENTISH'S Prospectus:—

“That such assurance is a real *desideratum*, few indeed, will venture to gainsay. Insurance has of late years acquired the character of a science; and when a family becomes involved in ruin by the destruction of premises by fire, by the loss of a ship at sea, or by the decease of the father on whose exertions they were dependant for support; the pity for the sufferers, is ever accompanied by reproach at their having neglected the exercise of common prudence, in omitting to effect an insurance, which would have averted the evil.

\* \* \* \* \*

“Suppose,—not an uncommon circumstance at this time—suppose a Squatter to possess, with a good station, ten, five, or even one thousand breeding ewes; this is a pretty capital, and with management, will in a few years secure an independence, *provided all goes on well*. But if this be the whole of the Squatter's capital; and from the great depression in the price of wool—from some sudden loss or other casualty, he happen to be in urgent need of funds for any particular purpose, or merely to provide his supplies and carry on to the next shearing—*What is he to do?* He must either sell to an immense disadvantage in a bad market, and the very stock he is wishing to improve or to breed from; or perhaps be destroyed and driven to insolvency; for, notwithstanding the recent Act to enable live-stock to be mortgaged; the Merchant, or Banker, well knows the instability of his so-called ‘security,’ &c., &c.”

We agree with the necessity pointed out by the writer, but we cannot see that an Insurance on his principle would ever succeed, or obtain the confidence of the settlers generally.

As the subject will, it is to be hoped and expected, be pretty fully discussed at the public meeting, we think it most fair to Mr. KENTISH and the Committee to defer the expression of our sentiments and opinions on this most interesting and

important subject, until that event takes place; when we will also lay before our readers, a true, full, and particular account of the proceedings, and of all that may have taken place up to that day. We may observe in the mean time, that as there are gentlemen on the Committee, of the greatest intelligence and Colonial experience, who take a warm interest in the measure, including some as largely interested both as Stockholders and Merchants, as any Colonists in Melbourne or Port Phillip; the measure may be considered as in a fair way of being discussed, and that upon its own merits; and it is of serious importance, that those who are most deeply interested in the welfare of the Province, as well as personally interested in extensive flocks and herds, should support the contemplated Stock Association with their presence, and its founders with their judgment and experience.

The Statistics of Live Stock in the Province at the present time will be found on reference to our Journal of the 6th instant, to be as follows :

|                    |           |
|--------------------|-----------|
| Sheep .....        | 6,130,277 |
| Horned Cattle..... | 386,688   |
| Horses.....        | 16,495    |
| Swine .....        | 5,659     |

Now, as a million of pence amounts to £4066 13s. 4d., it is apparent that an assesment of one penny a head on sheep only, would give £21,000 per annum. A sum more than large enough to provide amply for compensation to the owners, for every sheep dying of catarrh, or judiciously destroyed to prevent infection. This is the plan which we should prefer to be carried out by the Government, and which we think Flockmasters would very generally acquiesce in. The *next best* plan to a Legislative enactment, is undoubtedly the principle of a Stock Assurance, in which the Insurers participate with the Shareholders in the profits of the Company, which can hardly fail to be enormously large,

as soon as the insurance shall become general, which no one can doubt that it might become, as soon as fairly in operation under a Board of Directors in whom the Squatters and Merchants may place implicit confidence.

We hope, in the above article, we have done Mr. KENTISH full justice, and he has our thanks for bringing the subject forward; we are however sorry that we cannot countenance his scheme of an insurance; all our interest will be devoted towards carrying out the other plan as laid down by us in the paper already referred to.—*Port Phillip Gazette, July 24, 1849.*

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[ADVERTISEMENTS.]

SHEEP AND CATTLE ASSURANCE.

THE attention of gentlemen from the interior, now in Melbourne, is respectfully invited to this notice.

The declaratory resolution, approving of the formation of the above Association, on the principle of mutual insurance, as laid down in the Prospectus, (see ARGUS and DAILY NEWS, the 2nd instant,) is already subscribed by many more gentlemen than twenty-four, the number intended to constitute a Provisional Committee, all largely interested in the prosperity of the Colony, and directly as Stockholders, or indirectly as Merchants, &c., connected with the pastoral wealth of the Province. But it is the wish of each of these originators, that others, favourable to the object of the Association, viz.:—“to enable Stockholders to convert their valuable but insecure property into valuable security”—and who deem it, on its own merits, entitled to support, should make such avowal of their sentiments, by adding their signatures to the Resolution originating the Assurance; which document lies for signature at the office of the undersigned.

It is the chief desire of the Committee, that before convening a Public Meeting (of which, at least, a week's notice will be given,) the document should be strengthened by the signatures of gentlemen, from each of the various and remote districts of the Colony; as it is obvious that, the more widely Insurers are dispersed over the Territory, the greater will be the security to each, afforded by all.

The Mutual Insurance Principle being adopted; no payment will be required of any person beyond the small amount of his Insurance; which, if it become general, as there is reason to suppose, may probably not exceed ten shillings per cent. on the stock insured. Perhaps for the first half-year until the Association shall have obtained a greater accession of support, than can be expected at its commencement, the rate must be higher; but as the insurers increase, and with their numbers

the security of each—the rate of insurance may proportionably be decreased.

It is much to be wished that gentlemen of intelligence and experience in such matters, who approve the principle on which the Assurance is started—whether connected with pastoral or mercantile pursuits, or with the learned professions, should afford the valuable aid of their practical knowledge in the formation of an Institution which no one doubts will very soon become the most important and most beneficial establishment that has been suggested, or can be formed in this Pastoral Country, the chief wealth of which consists of sheep and cattle.

N. L. KENTISH,  
Honorary Secretary.

Queen Street, July 21, 1849.

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### SHEEP AND CATTLE ASSURANCE COMPANY.

APPROVING of the formation of a Company for the Insurance of Sheep and Cattle against epidemic disease, (as an object of the highest importance in this pastoral country, being calculated to avert ruin from Squatters individually, and to convert their insecure property in live stock into valuable security) and having consented to become the Provisional Committee for originating such establishment; We, the undersigned, hereby give public notice, that we propose to meet together at the Mechanics' Institute, on Thursday next, at half-past two precisely, for the purpose of arranging and adopting a draft, descriptive of the principles, terms of Assurance, Regulations, number and amount of Shares, Security, employment of Capital, and other particulars relating to such Company; and we invite the attendance and co-operation of such of our fellow-colonists, whether Stockholders, Merchants, or others, as concur with us in the desirableness of the object in view, and in the propriety of promoting and supporting this important undertaking.

|                     |                        |
|---------------------|------------------------|
| Armitstead, J.      | M'Combie, Thomas       |
| Baxter, Captain     | M'Donald, A.           |
| Bear, John          | M'Kenzie, John         |
| Bear, J. P.         | Moore, James           |
| Bell, William M.    | Patterson, Robert      |
| Black, Neil         | Pittman, F.            |
| Black, Thomas, M.D. | Powlett, F. L.         |
| Burnley, W. B.      | Paynter, N. E.         |
| Brown, Octavius     | Power, T. H.           |
| Campbell, Dalmahoy  | Raleigh, Joseph        |
| Campbell, Robert    | Rostron, Lawrence      |
| Campbell, Colin     | Splatt, Thomas         |
| Drummond, James     | Smith, Robert          |
| Glass, Hugh         | Stephen, Francis J. L. |
| Hodgson, John       | Stewart, James         |
| Ham, Thomas         | Tennent, W. M.         |
| Jacomb, Robert,     | Thorpe, A.             |
| Knight, A. H.       | Watson, John           |
| Lilburne, William   | Wight, Edward Byam     |
| Mickle, John        | Wickham, W.            |
| Meek, William       | Williamson, Charles    |

N. L. KENTISH,  
Hon. Sec.

July 25, 1849.

The intended meeting having been defeated, by means of the circumstances detailed in the Appendix; the following document, which had been prepared with much care by the Secretary, for the Committee and other Gentlemen whose attendance he had calculated upon, and had a right to expect—*could not*, at that time, be made use of; but was subsequently published in the *Argus*, by favor of the Editor of that talented journal, who, in common with each of his contemporaries, is a warm supporter of this proposed Insurance :—

### VICTORIA SHEEP AND CATTLE ASSURANCE COMPANY.

MINUTE OF THE ORIGINATOR AND HONORARY SECRETARY, ADDRESSED  
TO THE PROVISIONAL COMMITTEE, AND TO THE PUBLIC IN GENERAL  
OF PORT PHILLIP.

IN bringing forward a proposition for the insurance of live-stock against loss by epidemic disease—the ravages of which, though happily infrequent, are, when they do occur, serious and ruinous to individuals—I was not unprepared for the difficulties such Assurance would have to contend with in its formation; but having well considered the subject in all its bearings, I also felt that they were not insuperable: and that opinion is confirmed, by the information I have acquired by consultation on the subject, with great numbers of the most intelligent and experienced Squatters, Merchants, and other Gentlemen largely interested in live-stock.

My idea was (and the principle has been received with unanimous approbation,) to effect this one object by a compact to be entered into between flockmasters generally, viz., that in the event of the flocks of any one being attacked by catarrh, and carried off by thousands (as is known to have been the case in various localities, and at different times,) the loss, instead of falling upon the individual owner, and perhaps ruining him, should be borne mutually by all sheep-

owners, *pro ratâ*. This principle is in itself so just, so reasonable, and so beneficial, that as it has not been, I anticipate that it will not, and can hardly be objected to by any. But on the very slightest reflexion, great difficulties become apparent to the working of the plan, or carrying out of the system, though founded on a principle in itself unexceptionable. This will be obvious on consideration of my *first draft*, which is strictly on the Mutual Assurance principle exclusively; the objections to which are, that unless the animals are insured from half-year to half-year, *for their lives* (to which arbitrary regulation few flockmasters would submit, or *could*, as in selling their stock they could not compel the purchaser to insure;) the object of the Association might be defeated and rendered nugatory, by persons withdrawing, that is, ceasing to insure their stock, at the very time of their support being most required; which many might be expected to do, if the epidemic were known to prevail in some other district of the Province, but was neither experienced nor apprehended in their own. But even if all insurers would agree to insure the whole of their stock, as long as it should remain in their possession, this objection would yet remain—that each insurer would still be under a liability to the Association to the extent of, say one-fourth of the insured value of his whole stock; the compensatory advantages being, that each would have assurance of his own stock guaranteed, by security amounting to one-fourth of all the stock insured; and would be called on for the very smallest necessary payment, by way of premium.

The advantages and disadvantages of the ordinary share system, as contrasted with the mutual principle, may be briefly stated thus—A Share Company with a guaranteed capital well secured, and a sufficient amount paid up, to meet all liabilities as they occur, removes all responsibility from the insurers, but necessarily requires a larger premium as the profit of the Shareholders, on bearing the responsibility of the insured, by guaranteeing the risk of the insurer's stock.

Aware of the several advantages and objections pertaining to each of these two several systems—I have devoted much thought to the subject, and have from various sources collected considerable information bearing upon it; and I believe it to be perfectly practicable to combine the advantages of both systems, without adopting the objections of either. My effort to accomplish this *desideratum*, is embodied in my third draft, which, if it meet not with unanimous approval—which I know mankind too well to expect—may, I venture to hope, be not unworthy of the candid and serious consideration of the committee I have the honor to address; having devoted much attention to the subject, and prepared the draft to the best of my ability. It has been seen and warmly approved by many of you, and will, I hope, with slight alteration only, be now adopted by all. It is as follows :

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A capital to be created of (£50,000, I think, will be ample; and, if so, better than a larger amount; but say) £100,000, in 5,000 shares of £20 each— $2\frac{1}{2}$  per cent. paid up.

Sheep and cattle, horses (and query swine,) to be insured against loss by epidemic disease; and one moiety of the value of the stock insured, further guaranteed against destruction by the aborigines, by flood, or by fire.

But as the accumulating capital of the Company may, upon the most moderate calculation, be expected to become enormously great; its appropriation should be made thus—an annual dividend of not exceeding 10 per cent. on the amount paid up, to each Shareholder, and at the end of every three years, one moiety of the accumulated capital shall be invested by the Directors in the name of the Company, as a reserved fund to meet future demands; and the other moiety shall be distributed *pro rata*, not amongst the Shareholders only, but amongst the insurers also, who shall have insured for three years—calculating their premiums as shares. Thus, if at the end of three years, there be an accumulated capital of

£20,000 (not an improbable circumstance—) the half of this for distribution, would give 10 per cent. to the Shareholders on their subscribed or nominal capital, (£100,000,) or 400 per cent. on their paid up capital, (£2,500,) in addition to their yearly dividend of 10 per cent., *if they were the sole recipients*. But if a Squatter had paid for insurance, in three years, £100, he would be treated as a Shareholder to that amount, and receive a dividend on five shares—that is, he would participate in the profits with the Shareholders or Company. By this means, each insurer will be interested in the stability and prosperity of the Company—will, at the end of every third year, receive back a considerable portion of his former payments; and thus, the mutual principle will be virtually carried out, (as in the Alliance and other Fire and Life Offices, and as in the Farmers' and Graziers' Mutual Cattle Insurance Association, established in London 1843,) the insurers become beneficially interested in the success of the institution, and therefore have a farther motive for continuing to insure, and to support the Company with their interest and influence, in addition to the principal object—the security and positive value, independant of all contingencies, given to their stock; yet without incurring the liability to make good the losses which might befall any of their co-insurers, in their own, or any other district, of the Colony.

The following Statistics, may assist as *data*, on which to base the calculations, from which to deduce the per centage which may be proper to be fixed as *premium* on insurance. It is proved by the statistical returns, officially published; that there were last year—viz., in 1848—in the District of Port Phillip alone, in round numbers,\* 5,000,000 sheep, 400,000 horned cattle, and

\* The exact numbers are, from the Government Returns :—

|                      | Sheep.     | Cattle.   | Horses. |
|----------------------|------------|-----------|---------|
| Port Phillip.....    | 5,130,000  | 386,700   | 16,449  |
| N. S. Wales, p. .... | 6,530,000  | 1,366,200 | 97,400  |
| Both Colonies .....  | 11,660,000 | 1,752,900 | 113,849 |

16,500 horses: and these numbers, it is certain, have already increased by no small amount per cent. (I leave others better informed than myself, to say, whether 20, 30, or 40 per cent.) But taking the above numbers only, and estimating the sheep in the wool at the very low average of four shillings each, the flocks will amount to one million sterling; the cattle at the low average of twenty-four shillings, will amount to half a million, and the horse stock at only six pounds average, will come to one hundred thousand pounds more.

If but half of this stock should be insured—(and influenced either by judgment and prudence, or by expediency, it is surely probable that when once the Assurance becomes established—say by the commencement of the second half-year—much more than half of the stockholders will insure;) it will amount to about one million: this, at one per cent., will produce an income of about ten thousand pounds per annum. If this rate be thought too high—(but I have reason to believe it will not be objected to—) it may be reduced to fifteen shillings, or even ten shillings per cent, if the number of Insurers increase. But if in round numbers the Company's income from premiums of Insurance, be ten thousand pounds per annum; and its expenses of management—including District Surveyors of Stock—say two thousand pounds; and allowing as much more to make good losses which may occur, (and even if the epidemic should rage in any one District, this sum with vigilance and promptitude, might well cover the loss of the Company, which would in general get the tallow and wool, or skins, as salvage—except in *any extraordinary case*, in which it might be sound policy to burn the carcasses to prevent the possibility of infection—) even this expenditure, will leave a balance of six thousand pounds a year—which after paying the Shareholders ten per cent. on their paid up capital of two thousand five hundred pounds, will leave a net profit of five thousand seven hundred and fifty pounds to be employed in safe investments—[I venture

to suggest, in *loans to Insurers*—which seems to be the natural mode of increasing the beneficial effects of the Institution *to the Squatters* by whom it will be supported.] This surplus, invested half-yearly by the Directors, will, with its accumulating interest, amount at the end of three years, to much more than, but we will say, to twenty thousand pounds. Of this, one moiety should be invested by the Directors in the name of the Company, as a reserve fund to fall back upon, in case of malady, instead of having to make a call upon the shareholders; and the probability is, that (as is the case with the Derwent and Tamar Insurance Company, in Van Diemen's Land,) no second call will ever be made on the fortunate gentlemen who may have judgment to embrace the opportunity of taking shares, in this most important and most desirable Institution. The other moiety of the twenty thousand pounds, will be divisible *pro ratâ* amongst the shareholders *and such of the Insurers* as shall have insured continuously three years. This, for the sake of illustration, we will suppose to be one half of their number in amount; we have then to add fifteen thousand pounds to the capital for which the Company is responsible, one hundred thousand pounds, which gives one hundred and fifteen thousand pounds, or five thousand seven hundred and fifty shares, amongst which the ten thousand pounds (moiety of profits) will have to be divided, viz. :—to each insurer who has paid twenty pounds, and to the shareholders on each of their shares one pound fifteen shillings within a fraction, being a *bonus* of eleven per cent., or three hundred and fifty per cent. to the shareholders on their paid-up capital, at the end of three years, in addition to their excellent interest of ten per cent. per annum.

Of course if any *very serious and unusual* attack of the epidemic should take place, the profits of the Company may fall within this calculation; but on the other hand, if by the goodness of Providence, and judicious management of the Company, the losses should be trivial, and the insurance be-

come general, whilst sheep and cattle increase, as we know, 75 per cent per annum; it is quite the contrary of unreasonable, to anticipate that the profits may be infinitely greater than I have stated.

But, Gentlemen, if the stockholders will be satisfied with a guarantee of half the amount named; (and I respectfully suggest that even fifty thousand pounds, will be five if not ten-fold the amount of every probable claim upon the Company—) look at the difference it will make to them—the insurers. Instead of five thousand, there will be but two thousand five hundred shares of nominal amount, to partake of the profit *pro rata*, along with their seven hundred and fifty shares paid for by way of premium; and the consequence will be, that instead of receiving back a bonus of one pound fifteen shillings or eleven and a half per cent. at the third year on every twenty pounds paid for insurance; the insurers of stock and the shareholder on each twenty pound share, will have to draw three pounds one shilling and sixpence, or a bonus of fifteen and a half instead of eleven per cent. The smaller, therefore, the nominal capital of the Company, guaranteed by the shareholders, the more nearly will the advantages of the insurers approach to the Mutual Assurance principle.

If twenty-five thousand pounds were the capital, insurers would receive back (and each shareholder on his shares) a bonus of twenty-five pounds per cent., or five pounds per twenty pounds at the third year.

It is difficult, perhaps impossible, to obtain authentic information as to the losses which have been occasioned by catarrh, or black-leg. This disease amongst cattle, has happily been but little known the last ten years; but after the drought of 1838-39, the malady raged in New South Wales. Yet even including that calamitous period in the calculation; from all the information I am able to acquire, I believe it to be the sincere opinion of the best informed and most experienced Stockholders and Colonists, that the thousands of sheep which have at different times, and in various localities,

been destroyed by the epidemic, *though fearfully great in the aggregate*—(we will suppose fifty thousand—) are happily a most *insignificantly small proportion* of the whole, now existing in the Province, or which have been slaughtered or melted down; which cannot be less than about twenty millions, since the first sheep were landed from Van Diemen's Land: that is, one sheep out of four hundred, or five shillings per one hundred pounds. The same remark applies to horned cattle; whilst the horse stock is, and has ever been, free from any epidemic whatever. The allowance of two thousand pounds per annum included in this rough estimate for casualties, is therefore an ample amount, according to every probability, founded on experience of past years.

There can be no doubt that an Act of Council will be required to enable the Company to sue or be sued in the name of its Directors; in which Act of Incorporation, clauses will be introduced to give the body stability, and to limit the liability of Shareholders, &c., &c., attending to all provisions which may be necessary or desirable for its better working: but this, being the peculiar province of the Gentleman who may be appointed Solicitor to the Company, I do not presume to say more: but regretting my inability to be more brief in the expression of my ideas; and hoping that if I have succeeded in making them intelligible, they may—when amended and improved by such alterations and additions as your judgment and experience may suggest—be carried into effect, with advantage to this entire community in general, but to that most important, most fortunate, and most extensive section of Colonists, the Squatters and Stockholders in particular; I respectfully solicit the favor of your support, to be elected Manager of the Company which it has been my privilege to originate—having the honor to be,

Gentlemen,

Your faithful humble servant,

N. L. KENTISH,

Hon. Secretary.

## SHEEP AND CATTLE ASSURANCE.

*To the Editor of the "Argus."*

SIR,—The above having become a *public* matter, in every sense of the word, and a topic of general discussion—being one of great interest, throughout the length and breadth of the land—I feel assured that you will indulge me with a place in your columns, for a few legitimate remarks upon the subject which you have placed so fully before your readers, by the publication in the *Argus* of this day, of the explanatory "*Minute*," which, as Honorary Secretary to the Provisional Committee of originators, I prepared with much care, to the best of my ability, on the 26th ult.

I might say very much on this subject, without travelling out of the record; but I will confine myself to the two points strictly within my line of duty, as acting for, and on behalf of the Provisional Committee, consisting of two and forty Gentlemen, who have seconded my Prospectus, by avowing themselves in support of it.

The sentiments of the great majority of the Provisional Committee, may be summed up in these words:—Approving highly of the proposed Insurance, and wishing it success, as being calculated to be of immense benefit to the Colony at large, and—directly or indirectly—to themselves in particular; they consented to avow themselves supporters of the Institution suggested by my Prospectus; but most of them wish—as some stipulated—to have *no trouble whatever* in its formation; to which they could not afford to devote time, that must be abstracted from their private, but extensive, mercantile or professional pursuits. The duty of concocting and arranging all preliminaries, devolved therefore wholly on, and was expected of me, as the projector of the Company, aspiring to become its Manager; and in this, I was supported, not only by the friendly regard of my old colonial acquaintances of Sydney and Van Diemen's Land, but by the politeness and

hearty co-operation of the public generally; until the *Melbourne Herald*, with malignity almost unparalleled, by artfully contrived inuendos, succeeded in raising a prejudice against me—a comparative stranger here; which attacks, promulgated at the right moment to injure me, and to oppose the Company—which had *not* been advertised in the *Herald*—no doubt succeeded in defeating the intended meeting of the Provisional, which never intended to become a working, Committee.

Being thus dragged before the public, under the ban of the conductor of the *Melbourne Morning Herald*—a Paper, which, from its wide circulation, undoubtedly possesses its share of influence, *especially to injure*;—which is so much easier, and *more gratifying!* than to benefit, the Editor's fellow-man and former rival: I would be permitted the duty which vindication of my character—more dear to me than life—renders *necessary*, of saying a few words of myself;\* and as my *friend's* attack on me, has its origin in a feud of about

\* The cause of offence to the Proprietor and Publisher of the *HERALD*, is succinctly explained in my letter to the *ARGUS*, in the Appendix, under date of July 26, 1849. The further attacks reiterated in the most offensive manner, studiously calculated to injure my character, by the most artfully contrived *INSINUATION* of knowing much, (without actually expressing anything specifically) against me, in the *HERALD* of the 23rd of July, elicited this letter, containing an outline—and but an outline—of my somewhat remarkable, and very chequered, life in the Australian Colonies, which to me seemed to be called for; and I have no doubt of being borne out in this opinion, by those whose countenance I desire, viz:—Gentlemen, i.e. men of honor and high principles—men who have neither forfeited, nor outlived the British estimate of *CHARACTER*; but who deem with me, that to deserve and to enjoy the good opinion of our fellows “of the World,” i.e., the community in which we live, is the grand desideratum of human life; and, that to possess, is of secondary importance only, (even by the estimate of the Philosopher and Christian,) to deserving the respect of our neighbours and the Public—the society in which we move—the community in which we are more or less known.

This letter to the *ARGUS*, thus elicited, or as it seemed to me *COMPULSED* from my pen; led to the outrageous, unjustifiable, and unendurable insult, which I first chastised with a horsewhip, (see Appendix) on the 24th of August.

twelve years standing, I am compelled to go back to that date. I was at that period the Editor and Publisher of my own Paper, the *Sydney Times*. Perhaps I should mention how I became, and how ceased to be such.

Having suffered by the Parliamentary reduction of the Royal Military College of England, in which I had the honor to hold a Professorship; my credentials obtained for me a Commission in the Survey Department of New South Wales, where I arrived in March, 1830. On my passage from Sydney towards England, in the brig *Sarah*, I was shipwrecked, and left at New Zealand with my wife and two infant children, five months, in 1833-4, and providentially escaped by the *Hind*, bound for Sydney, from massacre by cannibals, which Mrs. Guard's brother, and other of my hapless companions, were doomed to suffer. Having thus unintentionally returned to New South Wales; in August 1834, I established the *Sydney Times*, which soon acquired extensive circulation (1370) and good support. Some years later, I was induced to dispose of a portion of my interest in shares; and a *fall out* amongst my "friends," who had engaged to purchase for and with me, the *Sydney Herald* of Mr. Ward Stephens, (the very bills were drawn for £9,000,) instead of making my fortune, brought ruin upon me, in 1838: and *then*, Mr. George Cavenagh, who had been exalted in the *Gazette Office*, into the post of ostensible Editor, exulted in my downfall, in the chaste language indicative of the rancorous feelings of a little mind—of an envious and inferior rival. The lucky stars of that individual, soon afterwards directed him hither; and, in emulation of Messrs. Arden and Strode, from the *Sydney Herald* Office, he (Mr. Cavenagh) started the *Melbourne Herald*. Being, through the kindness of George Milner Stephen, Esq., then Acting-Governor, offered the Appointment of Deputy Surveyor General in South Australia, I went thither, and had the honor to serve with and under Captain Sturt, till the entire Survey Department was suspended in 1841. I then crossed to Van

Diemen's Land, and my services were immediately engaged by that Government. My *chef d'œuvre* in that Island, was an Exploring Expedition in the densely-wooded interior, three years; in which, it was my misfortune to succeed *too well*. The Surveyor-General suffered himself to be persuaded in his Office in Hobart Town—whilst I was toiling in the Bush—that the object of my labours was utterly hopeless, and the undertaking I was employed on, impracticable; which it certainly had been declared to be, by four several Surveyors, who had all given it up after 16 or 17 years of trial; as is well known to Edward Curr, Esq., formerly Chief Agent of the Company. I dared to maintain, from practical knowledge, that the desiderated object—a shorter and better line of road from Launceston to the Van Diemen's Land Company's Estates—was perfectly practicable, and that I had a right to be permitted to effect it, which I had been expressly employed to do, and had pledged my reputation to accomplish. After much altercation and one summer's interruption, His Excellency Sir Eardley Wilmot perceived that I had been very ill-used, and authorised me to proceed; I did so, and succeeded, with these results:—I shortened the distance not 20 only, as I had promised, but 40 miles, out of 101½, and *at the same time, saved 7324 feet of altitudes* out of 10,069, through a mountainous country of forest and jungle almost impenetrable, and then for the first time penetrated and opened. These results I believe to be unprecedented, in the annals of Road-engineering.

My extraordinary and *undesired* success, was, and is, undeniable. By command of my lamented friend and patron, Sir Eardley Wilmot; the Surveyor-General himself officially communicated to me, His Excellency's acknowledgments of the zeal and ability with which I had accomplished my undertaking, and fully redeemed my pledge; but my success having incurred the ire of my official superior, I was at the same moment *virtually* dismissed from Office, being a Government *Contract* Surveyor, and not on the Staff, (though promised

and intended by both Sir John Franklin and Sir Eardley Wilmot, to be placed on the Staff of Van Diemen's Land;) by the Surveyor-General, who, instead of being gratified by the success of his subaltern Officer of his own recommendation, was indignant, that I should presume to oppose my practical, to his theoretical opinion; and still more incensed to find my judgment confirmed, and his own defeated, by the result—by demonstration.

Sir Eardley said, that if but one Surveyor were employed in the Colony, I ought to be that one; and in kindness, bestowed on me a contract, by which—as things turned out—I am a loser of much more than one thousand pounds; and *this*, is the sole reward, of my past and accredited services, of no common order. Respecting this, and matters connected with it, I have an Appeal to the Secretary of State. These differences with, and hostility on the part of, the Van Diemen's Land Government, brought me into great difficulties; in the hope of repairing which—pending my appeal a second time referred to England—I came to Port Phillip in June; and knowing from observation, and as an Engineer by profession, something of the requirements of this Province; I suggested a Sheep and Cattle Assurance, which it is universally admitted will be a blessing to this community; and I am forthwith denounced by the *Herald*, under the circumstances explained by letter, in the *Argus*, of the 26th ult., and am held up, by my former low, contemned U.F.E. rival, as the most *unfit* person, to become the Manager of the Institution of which I am the originator, and, therefore, naturally the most suitable person to conduct, unless incapacity or want of rectitude, be fairly provable against me; for basely insinuating which, with the obvious—indeed, I may say, *avowed*—*intention* to injure me, (which the artful attacks of the *Herald*, are so well calculated to effect;) it is *my* opinion, that, however repugnant to my feelings, it is a duty which I owe to myself and to my family, to prosecute the false and malicious libeller; on which subject, I have consulted an eminent

Attorney, from whom Mr G. Cavenagh will hear in due time. In the meanwhile, I entreat the candour of the Port Phillip public, not to condemn unheard, on the bare *insinuation* of the *Herald*, a gentleman and a stranger, who trusts that he is, in no imaginable respect, (except stature,) the inferior of his traducer.

My Circular of the 3rd ult. has been replied to, from various Districts, by Gentlemen proposing to insure their flocks.

My "Minute" explanatory of the plan in detail, proposed to be adopted by the Sheep and Cattle Assurance Company, is now also, by your favor, before the public, as well as before the Provisional Committee. If Gentlemen desirous of taking Shares, will also favour me with the expression of their wishes, in the form announced by my advertisement;\* as soon as fifty names are entered (together with proposed Insurers) *parties then interested, will meet* to elect Directors, Officers, &c., the desiderated object will be effected; and unless shewn to be unworthy of, or unqualified for the office; I hope to be favoured with the appointment of Manager, of the Victoria Sheep and Cattle Assurance Company.

It can hardly fail to strike the candid and intelligent Colonist, that I should not be *very* likely to seek a public employment, if I had not the happiness to be conscious of the strictest integrity—I will be bold to add, the nicest sense of honor; being prepared to submit to, even to invite scrutiny, but demanding a Britain's birth-right, impartial—treatment. The parties to whom I am best known, are the highest in Van Diemen's Land, also in Sydney, and Adelaide, (which being an old Government Officer in each Colony, is not surprising,) whose testimony of me is strong and unsolicited; but it may

\* That immediately following this Letter, which Mr. is now respectfully requested to consider, as a personal application, specifically addressed to himself; and to be good enough to reply to it accordingly.

N. L. KENTISH.

December 1st, 1849.

be time for a Gentleman to give references, when his character is assailed by other means, than a fiendish *inuendo*, and by less questionable authority than an unscrupulous publisher, writhing under the lash of a superior rival, inflicted on him so long as twelve years ago.

I therefore repose with the same confidence in the candour and British feeling of this community—whose sense of justice I have reason to know, is working a reaction in my favour—which I shall place in a jury of my Country, if it be the opinion of the Provisional Committee, (as I confess *it is mine*) that it is *my duty* to vindicate myself, and punish my artful traducer, studious to injure me; by an action for *wilful and malicious* libel.

I have the honor to be,

Sir,

Your obliged and obedient Servant,

N. L. KENTISH.

Queen Street, August 6, 1849.

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[ADVERTISEMENT.]

SHEEP AND CATTLE MUTUAL ASSURANCE COMPANY.

As soon as the number of Gentlemen, who shall have subscribed or authorised their names to be attached to the document at the Office of the undersigned, (copy annexed) amount to fifty, (by which time it is probable that the Stockholders, who have signified their desire to insure their flocks and herds, will have increased to the same, if not to a much greater number—) it is intended that a meeting of the then interested parties shall take place, to decide on the amount of capital to be raised by shares, to appoint Directors and Officers, and to arrange for the commencement of business.

Replies to his Circular of the 3rd ultimo, are respectfully requested of the Stockholders, by the undersigned, with intimation from Gentlemen desirous of becoming shareholders, or of insuring their live-stock; which, for the sake of uniformity, it is desirable should be expressed in the same form by all.

N. L. KENTISH,  
Honorary Secretary.

Queen Street, August 6, 1849.

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SHAREHOLDER'S FORM OF APPLICATION.

Approving of the formation of this Institution on the principles set forth in the Prospectus, and in the Minute (published in this paper) of

the originator and Honorary Secretary, Mr. N. L. KENTISH; and of adopting the proposed Regulations, (subject to revision by the whole body of Shareholders, at or previous to the election of Directors;) we, the undersigned hereby signify our desire and intention to subscribe for the number of shares set opposite to our names respectively.

When fifty members shall have subscribed, or 500 shares be entered, Mr. KENTISH is instructed to convene a meeting for the purpose of electing Directors and Officers, &c.

[Signatures]

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#### INSURER'S FORM OF APPLICATION.

We, the undersigned, propose to insure our Stock in the Victoria Sheep and Cattle Assurance Company, as soon as the Directors shall be prepared to issue their policies, for the stock set opposite to our names respectively.

[Signatures.]

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## DEVIL'S RIVER.

### THE CATARRH!

IN my last communication—while speaking of the Scotch thistle—I intimated, that as diseases in sheep were disappearing or being annihilated, this plant was making insidious inroads on the squatters' interest. Then, indeed, I had little thought, that the most sweeping epidemic that ever devastated a Settler's property, or crushed the rising hopes of an enterprising Colonist, should so soon form the prominent subject of my next despatch. But alas, such is the case—the CATARRH rages not thirty miles from where I write! On a station near the Broken River township, the property of Mr. Staglett, the epidemic broke out but a very few days since; and now the sheep are dying, or rather their throats are being cut (to prevent contagion as much as possible,) at the average rate of one hundred a day! If the disease *begins* at a hundred a day, who can calculate upon the sweeping rapidity with which it will traverse, when at its height? The calamity is aggravated by the absence of the melting pot; for already the smoke from daily hecatombs taints the air, and not a living thing is benefitted by the immolation, but the wild dog, the

hawk, and the carrion crow. I am credibly informed that the Superintendent of the above station, and one of his shepherds, cut the throats of not less than sixteen sheep, *before breakfast*, about a week since; all of course to be skinned, and burned in the course of the day. How inscrutable are the purposes of the Omniscient! Here, we have hundreds of carcasses of the choicest mutton, daily consumed by fire—their tallow being absorbed by and fattening the earth—and no palpable want is felt by the community; while the mortality among our countrymen at home, from want of the veriest morsels of food, is appalling. Such, however, is the will of the Great Being who ordains it! I shall not hazard a conjecture of the fearful results, should the catarrh visit the Devil's River, which calamity may Heaven avert. If it, however, be true, that the catarrh is contagious, and not endemic, some opinion may be formed of the wholesale destruction, which would accompany its visitation here, when it will be told, that in the circumference of twenty miles, there are not fewer than seven different runs, the average number of sheep depastured on which (to speak moderately) may be calculated at seventy thousand, and that some one flock of that number may, nay, must necessarily, meet that of a different proprietor at the watering places, or if not actually meet, must be watered at the same, or nearly the same, places daily; so linked, or I would say, so completely locked together are these runs, owing to the plentiful supply of water, and the facility afforded to the settler for forming an outstation at almost any spot, which his exigency or convenience may require. To any one acquainted with the peculiar position of settlers on this river, the bare contemplation of the presence of the catarrh among them, must truly be distressing; for all, if any; must be ruined; and thus a little isolated but prosperous community be scattered over the wide extent of Australia. Of the many instances of the fearful havoc which commemorates a visit from the catarrh, I shall mention one. A settler near the Sydney road, and about fifty miles from



here, could, eighteen months ago, count sixteen thousand sheep (a handsome fortune); the catarrh came among them, and swept all away but two thousand, the number at present on the run! Hence, we see the moral as well as the legal obligation on every settler, who may have the misfortune of being so afflicted, to take all possible means of preventing the contagion from spreading among his neighbours. It is of vital importance, that the progress of the distemper at the comparatively short distance from here in which it has broken out, should be narrowly watched; and rest assured, I shall do so, and report to you from time to time accordingly, or perform the more pleasing duty of communicating its entire extinction.—*Correspondent of the Geelong Advertiser, September 22, 1849.*

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### CATARRH.

*To the Editor of the "Argus."*

Sir,—

"Oft from apparent ills, our blessings rise,"

is an aphorism cherished by all Christians and thinking persons, as honourable alike to the heart and to the head, of the admirable Poet *Beattie*. May it on the present occasion, find immediate application in Australia Felix. The Devil's River is *not a happy* name; and though so beautiful, well-watered, and so well-grassed a district, it is most decidedly at the present moment *not a happy country*, in which (according to the Correspondent of the *Geelong Advertiser*, the epidemic is raging, and sheep are dying, or, in the hope of stopping the spread of the contagious disease, are being slaughtered and burnt (by thousands it is to be feared) to the destruction of the prospects of some squatters, and perhaps, alas! to the utter ruin of others.

When the proposed "Sheep and Cattle Assurance" was recently mooted, it was remarked by many of the Gentlemen,

(one or two hundred in number,) who have declared themselves warmly in its favor; that the *apathy*, which all agree is the characteristic quality of the Colonists, and which they themselves exemplified, and not a few admitted would not be overcome, till some fearful outbreak of the epidemic should occur, to arouse the energies of the flockmasters generally, at the devastation and distress of their hapless neighbours, by exciting alarm on their own account; as each Colonist must feel, that what is the fate of one squatter, or of one district to-day, may be that of his own flocks or herds, and of the country in which his run is situated, to-morrow. Catarrh, like the small-pox—and black-leg, like cholera morbus, pay little respect to persons or places; visiting indifferently the runs of the aristocracy and of the working classes—of the rich and of the poor; the live-stock of Gipps Land or Portland Bay—of the Murray River, or the Pyrenees.

My ideas, being with my proposals, already before the public, as fully and as clearly as it is in my power to express them; I should not presume to address you again on this subject, had not the present calamity, brought under notice in your journal this day, been pointed out to me by various friends of the proposed Insurance; which scores, perhaps hundreds, of flockmasters, now wish, had been carried into effect a few months ago, as would assuredly have been the case, if less apathy had pervaded this community, as respects both Merchants and Squatters.

It may, therefore, be well to remind the grazing interest, that the Sheep and Cattle Assurance, so far from being abandoned, other than temporarily, *is* absolutely *initiated*; that about twenty or thirty gentlemen have signified their positive intention to take shares; that *four have done so*, among whom Mr. Mackinnon, on subscribing his name for twenty-five shares, expressed his opinion in the handsome manner worthy of a Squatter and Honorable Member for Victoria; that it was very unfair towards the originator of a great public measure, calculated to benefit the entire Colony, for Gentlemen pro-

fessing to approve the same, to withhold their support till it should no longer be of any value in promoting the object effected, not by, but *despite of their apathy* and delay. As the Honorary Secretary to the incipient Association, I am instructed to convene a meeting (by circular) as soon as fifty shall have subscribed for Shares; when there is no doubt whatever, of the object being carried into effect, on the appointment of Directors. The details of the proposed Insurance are contained in the Minute published in your journal of the 13th ult. It is understood that the Capital is to be £50,000, in £20 shares,  $2\frac{1}{2}$  per cent. paid up.

With the whole case before them—sufferers by catarrh have but themselves and their fellow-colonists to thank, for the distress (attributable to the quality so peculiarly “colonial,” called *apathy*,) which might have been averted, if they had really “promoted” and insured their flocks in the Victoria Sheep and Cattle Insurance Company. Letters expressive of approval of the Institution, in the warmest terms, have been received in answer to my circular from all parts of the Colony. If a sufficient number of shares be subscribed for, the Insurance may be established, to take effect from the 1st of January, as intended. All that is required is, that *more, and specific replies*, be made to the Prospectus Circular. It is intended that a Meeting shall take place on the subject when the Squatters muster strong in Melbourne in the Wool Season, in December, when many Gentlemen will come forward in support of the measure, with other of their friends, who at present hang back, waiting for one another. But the intentions of more Gentlemen are already on record, and others well known to be earnestly in favor of the Insurance, than would alone take one half of the shares, and would have given effect to the Institution before this date, if they had but thought and acted as ingenuously, and decisively, as Lachlan Mackinnon, Esq., M.L.C.

If the risk be greater in one locality than another, the premium may be regulated accordingly; just as houses built

of wood and shingled, are insured against fire, at a higher rate, than brick or stone buildings roofed with slate. But the owner of no flock or herd in the Colony, uninfected by disease, should be deprived of the opportunity of insuring against loss by the epidemic, *if willing to pay the fair premium required.*

I take the liberty of enclosing to you the first four or five letters received in reply to my circular of the 3rd of July, (misprinted June) which may be deemed, as a sample, expressive of public opinion of the proposed Insurance, which has also found favour with every Press in the Colony.

I remain, Sir,

Your very obedient servant,

Melbourne,

N. L. KENTISH.

September 25, 1849.

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No comment on the foregoing pages, can be required by the reader, of the writer; but the writer, may not unreasonably hope, as he respectfully begs leave to apply for the reader's; that is to say, specifically *for the favour of Mr. comments* on the opinions therein expressed. Perhaps a better *Commentary on the Prospectus* of the proposed "Victoria Sheep and Cattle Insurance Company," can hardly be given or desired, than that of the Devil's River Correspondent of the *Geelong Advertiser* above quoted.

The Author will offer no observation on the *extraordinary silence* which has since been maintained by the Colonial Press, on the calamity so truly described; except, that the account not having been attempted to be refuted, is believed to be irrefutable—and certain parties will unintentionally and almost unconsciously ejaculate, "Alas! *too true.*"

Having thus brought *the subject* fairly and fully before the Public, and explained *what* is done, and *what remains to be done*; I shall neither presume on the one hand, nor condescend on the other, to *bore* a living soul by personal application, to take shares, or to insure: but, in conclusion, I would respectfully request the attention of each Merchant in the City, and of each Stockholder in the Bush, to the Advertisement and Form of Application, p.p. 48, 49.

N. L. KENTISH.

December 10, 1849.

## APPENDIX

CONSISTING OF REPRINTS FROM THE MELBOURNE  
NEWSPAPERS.

## CONTEMPLATED PUBLIC MEETING.

On Saturday, the Provisional Committee of the Sheep and Cattle Assurance Company were to have assembled at the Royal Hotel, Collins Street, at one o'clock, but although the originator of the Company, Mr. KENTISH (he said) had the guaranteed pledges of forty-one Gentlemen to attend and carry out the objects of the meeting, only three were in attendance besides Mr. KENTISH, viz., Messrs. W. MEEK, C. CAMPBELL, and Lieutenant JACOMB, besides our own reporter. The hour of two having passed, the Gentlemen assembled separated, and thus the matter rests at the present time. It is no use blinking the question any longer. The real fact is, that although the community desire the formation of such a company as the one contemplated, they do not exactly like that Mr KENTISH should have anything to do with it; and in this view of the case we entirely coincide.—*Melbourne Herald, July 23, 1849.*

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To the Editor of the "P.P. Gazette."

"An anonymous slanderer, or a publisher who injures another by a side-wind, by an innuendo, or vague but base insinuation, plausibly introduced—is a MORAL ASSASSIN, who only wants courage to be a murderer."—DEBATE IN THE HOUSE OF COMMONS, ON THE MARTYRED SIR EARDLEY WILMOT.

SIR,—

As a *new comer* (though a very old colonist) about to settle in Port Phillip—as a loyal subject, who has had the honor to render faithful and not unacknowledged service to the Crown, since the year 1827—as a Government Officer in England; and in three several Colonies—further, as the father of a family, and a member of society, inferior, it is with honest pride believed, to few of his fellow-subjects in Australia, in the essentials of real respectability, adopting Pope's definition of "An honest man, the noblest work of God," who says—

"Worth, makes the MAN, and want of it, the fellow"—I trust that yourself, and every man of correct feeling in the community, will justify me in appealing to the free and the *fairly conducted Press*, to admit a few words of reply from a comparative stranger, to an attack in the 'Herald' of this morning, as basely malicious, and as artfully calculated to do me an irreparable injury—not in fortune alone, but in that which is still more important—character; as ever disgraced even the 'Sydney Gazette' of old, when edited

by the convict Watt, under the soubriquet, or nominal responsibility of the present ostensible conductor of the 'Melbourne Herald.'

If, Sir, I were as formerly, or were likely again to become the editor of a public journal; mine ancient enemy of "U.F.E." notoriety, *knowing the antagonist* with whom he would have to break a lance, would not venture to incur a second castigation, the *smart* of the first not having worn off, as *is in proof*, after a period of twelve years.

But as I have at present no idea of again wielding that powerful engine, the Press—the best, if not the only proper scourge of (literal or literary) knaves or tyrants; I feel it necessary to solicit protection, so far only as I am entitled to it. Being by circumstances brought before the public, and publicly assailed; all I ask is a Briton's birth-right—*fair-play*.

The paragraph in the 'Herald' is a *wilful* misstatement; so far from three gentlemen only having attended the proposed Committee, not Public Meeting;—it is in proof that four or five times that number *did* attend; though unfortunately not with punctuality as to time; several also went to the *Prince*, instead of the Royal, by mistake; the Town Council Meeting withdrew others; and (as was the case in the formation of the Victoria Fire and Life Insurance Company,) the business was postponed, as being too important to be entered on without a more numerous attendance.

It is insinuated in a most artfully malicious manner, that whilst the project is approved, the projector is objected to by the public. Had Mr. GEORGE CAVENAGH had the manliness to state, in plain words, of truth, "on account of an old editorial feud, I still hate Mr. KENTISH, and *therefore* I advise the Melbourne people not to support him, even in an object for their own benefit," this would have been honest: but as a very old Member of the Fourth Estate, I can but appeal to you, Sir, and to your cotemporaries who *use the press, and disapprove of its abuse*; to afford me the protection of your powerful shield of defence, until I shall be afforded an opportunity, openly, fairly, and publicly, to confront my accuser, and I trust with propriety to vindicate myself, which I fear not doing, having nothing whatever to conceal.

Every man who values his character, ought to make common cause against a malicious libeller—remembering that "what is my fate to-day, may be his own to-morrow;" and if I were to appeal to him as a juror, I would ask the reader, *has he a doubt*, of the paragraph in the 'Herald' being an artful and malicious libel, calculated to injure me, and studiously concocted for that purpose?

Whilst a free Press is the greatest blessing of civilized society—I ask, *what* can be a greater *curse* to any community than a Press capable of such unprovoked, vexatious, and deliberate atrocity?

I am, Sir,

Most respectfully,

Your humble and obedient servant,

N. L. KENTISH.

Little Collins and Queen-streets,

July 23, 1849.

SHEEP AND CATTLE ASSURANCE.

To the Editor of the "Argus."

SIR,—A most base, artful, and malicious attack on me, having appeared in the 'Herald' of yesterday, calculated, and there can be no doubt studiously designed, to injure me in the estimation of this community, in which—though an old Colonist—I am newly arrived; I respectfully appeal to you for support and protection, if you find that upon public grounds, (having no Press of my own, with which to vindicate myself, and to punish the aggressor, as formerly,) I am, in the spirit of a Briton's birthright—Justice, *fairly entitled to protection.*

I will, Sir, give you a narrative of facts; and leave the natural and proper comment to my Fellow-Colonists, and to the Public Press, which when just, as well as free—impartial, as well as independent, must both obtain support, and command influence, as the true legitimate organ of public opinion—as the greatest blessing of civilised society—the Fourth Estate of the Empire, and most powerful of the four.

Many years ago, (from 11 to 15,) I was the Editor of the 'Sydney Times,' as is well known. At that time (about 1837.) Mr. George Cavenagh, who had been in a subordinate situation in the 'Sydney Gazette' Office, became the ostensible Editor, the real Editor, a ticket-of-leave man, and an assigned-convict, Watt, having by the force of Doctor Lang's powerful writing, been each driven from the post of honor as a *ensor morum*, by the irresistible satire of the 'Colonist,' branding them and their doughty colleague, U.F.E.

Having disposed of a portion of my then thriving and promising Newspaper, in shares—instead of becoming the proprietor of the 'Herald' also, a fall-out amongst my "friends" converted their intended support, into real destruction. At this time, when the 'Times' was suppressed, and I had no longer the means of fighting on equal terms with my competitors; the 'Gazette,' which had always "wined" like a "galled jade" under the lash of its superior cotemporaries, and dreaded the "rod" and the rhymes, of its envied rival the 'Times,' as much as the sledge-hammer of the 'Colonist;' with true magnanimity, exulted over the suppression of a Press, which was the envy and terror of the "many minds" of the 'Gazette.'

Now, Sir, please to imagine a lapse of twelve years. On my arrival in Melbourne, I frequently saw Mr Cavenagh: but never having visited that Gentleman, when I knew him in Sydney, I was not surprised, that when we met in the street, he passed me as a stranger; nor had I any desire to make even the slightest acquaintance with a person whom I had small reason to admire: but I am thankful to say, that I had outlived all angry feelings or even recollection of a feud of eleven or twelve years' standing.

Meeting Mr. Cavenagh in the street, on the same day on which I advertised the Prospectus of the Sheep and Stock Assurance, to

which you had done me the favour to direct public attention; I accosted him, saying that such a thing was about to be advertised, and it was my wish that his Paper should have it, as well as yours, &c. When drawing himself up with extreme effect, Mr Cavenagh observed that "I appeared to forget, that when we last met, there was a great quarrel between us." I replied, that he only did me justice in believing that I had quite forgotten all about it: and probably in eleven or twelve years, he had done, or might be disposed to do the same. Mr. Cavenagh then said very effectively, "Sir, *I never forget*—I decline your proposal—Good morning, Sir," and turned round to converse with the Gentleman, from whom I had been guilty of withdrawing him.

I have been told by many—oh, it's all spite, because you have not sent the 'Herald' your advertisement. Had I been guilty of withholding it, I should have expected, if not merited, the 'Herald's' resentment. But as to the malicious misstatements in his just and generous notice of me: whatever may be the sentiments of "mine ancient enemy," and of those whom he can influence; it is false to say, that I am objected to by the Committee, whose confidence I trust that I enjoy, and shall preserve. It is also a malicious untruth, that I said 41 Gentlemen had promised to attend the Meeting. I could not say so; for I knew that about 34 of them only were in Melbourne. About 20 promised to attend unless unavoidably prevented; and 12 or more did attend, though not at the same time; and consequently the number was too small to transact business. But as the whole Committee has convened a public meeting for Thursday next, a sufficient attendance may then be expected, to carry the object of all, into effect.

Having stated the facts, I leave the commentary to an able and impartial Press, and to a just and generous Public—my fellow-Colonists.

I am, Sir, most respectfully,

Your humble and obedient Servant,

N. L. KENTISH.

Little Collins (and Queen) Street,

July 24, 1849.

MR. N. L. KENTISH.—We stated in Monday's 'Herald,' when alluding to the paucity of attendance at the contemplated Public Meeting for the Insurance of Stock, about which so many Gentlemen had been bored by Mr. K.—"It is no use blinking the question any longer. The "fact is, although the community desire the formation of such a "Company as the one contemplated, they do not exactly like that "Mr. Kentish should have anything to do with it; and with this "view of the case we entirely coincide." Now, knowing what we *might* have said, and said truly, if we had felt disposed, and which would have effectually shown whether Mr. KENTISH was or was

not just the sort of person to manage the contemplated Company; we fancy our readers will agree with us in thinking that we, as delicately as possible, spoke the truth, as it was our duty to do in alluding to a contemplated public project of some importance. By way of showing *how* fit Mr KENTISH is to manage a Company like the one in question, we invite those interested, to read his long winded and abusive letter in yesterday's 'Gazette,' and let them then say whether they have not a perfect right to bless their lucky stars, that Mr KENTISH has already unmistakeably shown how fortunate it was for them, and how kind it was in us, to let them see, of exactly what stuff Mr. NATHANIEL LIPSCOMB KENTISH is made.—*Melbourne Morning Herald, July 26, 1849.*

NOTICE TO CORRESPONDENTS.

We have received two critiques on Mr. Kentish's "Water Lecture:" one by 'Hibernian,' the other by 'C. B.' As both the writers have sent us their names, we would feel fully warranted in publishing them; but in mercy to the Lecturer, we forbear; thus shewing that we are not, as Mr. K. states, actuated by 'a personal feeling of hatred' against him. He knows well enough if we wished to retaliate, how severely we might do so. We would offer him, in all kindness, one word of advice. Let him eschew meddling with PUBLIC Companies, and he is safe from our pen. In his private capacity, as simple "Nathaniel Lipscomb Kentish," we will never recognise him.—*Melbourne Morning Herald July 28, 1849.*

TO THE PUBLIC OF PORT PHILLIP IN GENERAL, AND TO THE PROVISIONAL COMMITTEE OF THE SHEEP AND CATTLE ASSURANCE, IN PARTICULAR.

Per favour of the "Gazette."

GENTLEMEN AND FELLOW-COLONISTS,—It remains to be seen, whether you approve of, and will support the conductor of a Public Press, in a personal attack, artfully and maliciously contrived, not only to annoy and to wound the feelings of a former rival, but to blast the reputation, and blight the prospects of a Colonist, in no respect his inferior, come to settle amongst you:—whether the inhabitants of this City and Province will permit a stranger to be thus sacrificed to the spleen of an individual; whose gross perversion of the powerful machine he is permitted to wield, to the base purposes of personality and feelings of enmity, shews but too plainly that the U.F.E. brand of the COLONIST is still unobliterated from his forehead; and, that as he was proclaimed in 1837, so the Literary Associate of Watt and O'Shaughnessy still is, wholly Unfit For an Editor.

If Gentlemen, you concur in my opinion, that the two greatest blessings of life, are TO DESERVE AND TO ENJOY the good opinion of

our fellows ; you will justify me in being sufficiently sensitive, to be unable to submit to imputations publicly and deliberately made, and reiterated by the 'Melbourne Herald,' as obviously calculated, as artfully designed, to injure me ; and that, under circumstances, which many are kind enough to say, entitle me to thanks from the Community, which my project of a Sheep and Cattle Assurance, is calculated to benefit ; which at least should strengthen the claims of a stranger publicly assailed, to the candour and courtesy of the Colonists, so far as to demand and obtain for him, in the spirit of British feeling, and British justice—FAIR PLAY. This, is all I ask—not to be condemned unheard. I only desire a *fair field* ; I ask *no favour*.

But Fellow-Colonists—I know Mankind too well ; especially I know "Colonial" Society, too well, not to be certified of the truth iterated in *Dryden's* admirable couplet—

" On eagles' wings immortal, scandals fly ;
" Whilst virtuous actions are but born and die."

Disgusted at, and it may be, not unappalled by, the attacks made on me by the 'Herald ;' I was about to address a Letter to the Provisional Committee, resigning my post, as Honorary Secretary ; but acting on the advice of experienced and well-informed Colonists, who correctly observe that this would be not only compromising myself, but each one of the scores of Gentlemen, under whose avowed sanction of the measure which I had the pleasure to originate, I am at present acting ; and by several of whom it is remarked, that as the energetic exertions of some person to devote himself to the object in view, are absolutely necessary to bring it to bear ; and as by circumstances, I am that person, and avowedly hope to become the permanent Manager of the Society, of which I am the approved originator ; it would be unmanly, and improper, to renounce the support of the Provisional Committee, which I am entitled to expect ;—I can do no more than entreat those Gentlemen, and the public interested in the formation of a Stock Assurance, not to be prevented meeting together by *apathy*, or by prejudice sought to be raised against me, by the 'Herald ;' but whenever a real meeting, may take place, I shall be, as I am at this moment, prepared for the ordeal of proving a negative—(not quite an English mode of treatment!) but I, nevertheless, hope to be able to shew the injustice, as well as malignity of the 'Herald,' as there is not one incident in my nineteen years of Colonial experience, diversified by greater vicissitudes than have fallen to the lot of most men ; of which, as a Christian and as a Gentleman, I have reason to be ashamed ; although, as misfortunes and annoyances are not agreeable reminiscences ; it may suit the purpose of a malevolent and little mind, to rake up the ashes of past misadventures, as of *ancient feuds*.

No man can reply to an inuendo ; but if my character be impeached, I am thankful that there are at this time in this Province and City, Gentlemen of the highest standard, to whom I am and have been well known, in each of the Colonies in which it has been my destiny to reside, to vouch for all that is necessary to my

vindication. It is well known that I have a serious dispute with the Government of Van Diemen's Land, respecting which I have appealed to the Right Hon. Secretary of State: yet are there no three Gentlemen in that Colony, to whom I would refer with greater confidence, than the heads of the Government with whom I have the misfortune to be very widely at variance. But GENTLEMEN may quarrel, even violently, without surrendering truth and honor to malignity.

If, as in *common fairness* should be the case, (but that I fear is an *uncommon* article, in the columns of the 'Herald') "my bane and antidote" were both before the public in the *same Journal*, I would be perfectly content to leave the just and generous—that is, the sensible and candid—of my fellow-colonists, to judge for themselves between my malignant reviler, with a Press at his command, and myself; without other appeal than to the good sense and correct feeling of the respectable and intelligent class of my fellow-subjects, of which the Port Phillipians in general, consist—whether Squatters or Merchants—to not a few of whom, I have the pleasure to be well known. But as I am not the man to submit to be *crushed* by the venom of a dastardly and contemptible libeller; I shall take such steps to *convince* Mr. George Cavenagh of his mistake, as my friends may advise, and I *know* that his friends have prepared him to expect, as being richly deserved, and imperatively called for.

Instead of a threatened letter of insult, from some pretended correspondent, there is a rude attack upon me again this morning in the 'Herald' in reference to a Paper on Australia Felix, which in compliance with the wishes of the talented and zealous Secretary, G. GILBERT, Esq., and other Gentlemen and Scholars, who take an interest in the Mechanics' Institute, I read before the Members and others, on Wednesday evening, in the hope of contributing, according to my slender ability, to the gratification of those who honoured me by their attendance. It is asserted by the 'Herald' (but *who* is bound to believe the impudent assertion?) that he has received a critique on my Water Lecture from two of my audience, which he spares me the *pain* of publishing, [lest they should redound to my credit?] Now, as I am as ready to answer for my real, as unwilling to suffer under imputed crimes, whether moral or literary; and as I feel assured that you are desirous of affording, especially to a comparative stranger, an opportunity of defending himself from the attacks of an illiterate, as of a malevolent and cowardly enemy; I take the liberty of sending you the MS. of my Lecture complete, in the hope that it may not be deemed unworthy of a place in your valuable columns, from which you may perhaps be desirous not to exclude Colonial Literature, of a *practically useful* character, however humble: and when the document shall be fairly before the Public, *verbatim*, as delivered, with all its sins upon its front; it will be *fair game*, i.e., open to the fair criticism of all, and may therefore possibly receive some favourable notice from the liberal-minded and kindly-disposed—from *competent* critics, who are in general, generous; as well as satirical and offensive notice from Mr George Cavenagh's "Hibernian" friend, *if it be true* that any such individual as "Hibernian"

or C. B. handed a spiteful critique to the 'Herald,' concocted for the purpose of insulting a Colonist, in return for his effort to oblige the Members of the Mechanics' Institute, and to benefit the community.

Profound as is the contempt in which I hold the individual permitted to employ the 'Melbourne Herald' as a curse and a scourge to Port Phillip; yet, as I do not choose to subject myself to more of his impertinence, I take this opportunity of publicly intimating to the Members of the Mechanics' Institute, that in order to avoid being made the butt of a Society which it was my wish to support, and my endeavour to gratify—(and by which I believed myself to be favourably received, on Wednesday evening,) I respectfully beg leave to decline any further effort of my intended services as a Lecturer.

I have the honor to be,
Your obliged and obdt. servant,

N. L. KENTISH.

Queen Street, July 28, 1849.

STOCK INSURANCE.

THERE is a little bye-play going on with reference to the proposed Company for the Insurance of Stock, to which we think public attention ought to be called. The feasibility and usefulness of such an Association are pretty generally admitted, the object being to divide the loss likely to accrue from two such fell diseases as Cattarrh amongst Sheep, and Black-leg amongst Cattle, amongst so large a body, as to deprive those epidemics of their first quality, the utter ruin to which the owners of stock are subjected by their attacks.

Although the latter of these diseases has never gone to any great head in this district, it is far from unknown amongst us, and has in adjacent Colonies sometimes become a calamity of public importance. If, too, the general opinion of those best acquainted with the disease be a correct one, that it is most liable to attack the richest districts, and the best bred, and most thriving cattle; Port Phillip may well expect her share of a disease which has before invaded the comparatively barren Colonies by which she is surrounded. The very fattening qualities of our runs, and the gradual improvement in the breed of our cattle, will be looked upon with some doubt and dismay, if they are to expose us to a visitation of so serious a character.

But if we speak thus of black-leg, what are we to say of cattarrh? A disease which, till lately, has been almost unknown amongst us, but which colonial history tells us has utterly devastated whole districts of older settlement, and in a few days has brought hundreds from affluence to poverty; a disease whose slightest inroad even here, has tainted the very name of entire districts, and reduced fine runs and noble flocks, almost to a cypher in point of value; a disease which has baffled all enquiry as to its cause, all remedy as to its cure; which has puzzled, fretted, and triumphed

over the best-informed, the most industrious, and the most practical men amongst us ; such a disease as this, may well blanch the cheek, and strew thorns upon the pillow of every sheep-holder in the district.

How useful then, and how necessary would not an institution be, which, by dividing such frightful risks as these, could render property held by such frail and uncertain tenure comparatively secure ? Of what value would not a society be, which could enable any man to say, that though liable to loss, he was not now likely to be altogether ruined ? How intimate the analogy between such a destroyer as catarrh, and that element which men have found so bad a master, that they have long leagued together to resist its ravages, or divide the loss it may occasion !

Such reflections, led us to congratulate the District, when a Stock Insurance Company was first proposed by a Mr. KENTISH, lately arrived from Van Diemen's Land ; and being fully convinced, that it both deserved, and would receive support, we watched its progress with considerable interest, and, for a time, were rejoiced to find, that all looked well. But, alas, the usual deadening measures were at work ; the Upas of Port Phillip was spreading his noxious influence over this useful and valuable Association, as he has poisoned and destroyed hundreds of other admirable measures. Mr. KENTISH, the proposer of this Company, had, unfortunately, had some quarrel, *twelve years ago*, with the conductor of the 'Melbourne Herald ;' and this, with a bitter malignity which could be found in no other living man, was sufficient to induce that Journal to swamp a Company, whose operations could only have conferred safety, and peace of mind, upon the whole Squatting Community. Mr. KENTISH was forthwith denounced ; the affair blown upon, at the most critical period of its existence ; and, the few parties who did attend the Meetings, were held up to the petty ridicule attached to the attendants of a Meeting which has proved a failure. Such is the price which a Port Phillip Public is called upon to pay weekly, daily, and hourly, for supporting a Press, which would disgrace a nation of savages ! Such is the Press which it is our toilsome task to overturn ; and whose influence, now, thank Providence, rapidly waning, can never wane too soon.

We know nothing of Mr. KENTISH ; he may be the most suitable man in the world for the office, which he makes no secret of desiring ; or, he may be the most unsuitable. Two things, at all events, he appears to have—indomitable energy, and a warm interest in his project ; and these are matters of such importance, in an apathetic community like this, that we conceive that Gentleman deserves some encouragement and support. If, after the Society had been founded, some insuperable objection had presented itself, to employing Mr. KENTISH, we feel that confidence in the justice of the Port Phillip Public, that a fair remuneration would have been made, for his systematising and forming the Company. Thus far, he would have had a legitimate claim ; but, however active he might be, he would have none strong enough to fix him, firmly, in any Secretaryship, in spite of any imaginable unfitness. He might, or he might not, be found highly suitable, and upon his

suitableness, alone, would depend his appointment. It would rest, fairly enough, with the Company, to decide upon the appointment, after a fitting consideration of Mr. KENTISH'S character and claims. But we cannot, too bitterly, protest against a *stranger* engaged in a useful measure, and the measure itself, being sacrificed, to gratify the private hatred of Mr. GEORGE CAVENAGH, or the settled feud of twelve years standing.—*The Argus, August 1, 1849.*

“N. L. KENTISH.”—We are sorry we have not room for the letter bearing the above signature, which appears in yesterday's ‘Gazette,’ (addressed to the public of Port Phillip in general, and to the Provisional Committee of the Sheep and Cattle Assurance in particular,) as it would shew, better than anything we could say, how very desirable a person the writer is, to undertake the management of a Public Company; we, however, add the concluding paragraph, relating to the Mechanics’ Institution, which is of sufficient interest to warrant its publicity through our columns: “Profound as is the contempt in which I hold the individual permitted to curse this community with the venal press of the ‘Herald;’ yet, as I do not choose to subject myself to more of his impertinence, I take this opportunity of intimating to G. A. Gilbert, Esq., and the Members of the Mechanics’ Institute, that in order to avoid being made the butt of the Society I was using my best endeavours to gratify (and by which I did believe myself to be favourably received,) as is alleged by the ‘Herald’ to have been the case, last Wednesday evening, by two of his correspondents,—I beg leave to rescind my intention of again appearing as a Lecturer at the Mechanics’ Institute.” We cannot, in truth, say we are sorry that our “impertinence” has deprived the Mechanics’ Institution of so modest a Lecturer as Mr. N. L. K., although, in the real simplicity of his heart, he *did* believe himself to have been “favourably received!”—*Melbourne Morning Herald, August 1, 1849.*

NOTICE TO CORRESPONDENTS.

We are necessarily precluded from publishing Mr Kentish's Letter, from the fact of its having already appeared in the ‘Port Phillip Gazette.’ If it be the object of Mr Kentish, in the present controversy, to show how complete a stranger he is, both as regards Port Phillip matters and Port Phillip men; he has taken the most thoroughly effectual means to accomplish his end, by placing the ‘Argus’ and the ‘Port Phillip Gazette’ upon the same footing. We could not have received such a compliment (?) from any one but a stranger; and as such, we can afford to laugh at it, with the most imperturbable good humour.—*The Argus, August 1, 1848.*

To the Editor of the "Argus."

SIR,—With my best acknowledgments of your just and generous—that is, fair and impartial—mode of treating, in this day's 'Argus,' the Assurance of Live Stock, which I have had the pleasure to originate; and the dastardly attacks made on me by the 'Herald,' in consequence of an editorial feud, twelve years ago; permit me to reply to the remarks in your Notice to Correspondents.

More than twenty years connexion with the Press, and four years of editorial experience, having made me acquainted with the privileges of, and the respect due to the Fourth Estate; I would be inexcusable if guilty of a breach of etiquette.—But, Sir, with all deference, I submit, that it is a common, and perfectly authorised practice, both in England and in these colonies, to issue the same communication—especially an address to the Public—through the various organs which, on political or public grounds, are supporters of the particular measure. Thus, in Van Diemen's Land, the 'Launceston Examiner' and 'Cornwall Chronicle,' as bitterly opposed to each other as any rival publications by possibility could be, each did me the favour to publish with powerful editorial support, a petition to the Queen, for the abolition of Capital Punishment, which I prepared some years ago, when I took an active part in that movement.

It is perfectly true, that, at present, I know little respecting the state of the Press in Melbourne, beyond the fact, that there are four rival papers, and the appearance of a much too general and mutual hostility. This, however, I also have the pleasure to know, that, whilst even the 'Herald' has admitted my proposed Assurance to be an Institution much required and generally desired; the project as brought before the Public, in my Prospectus, has been warmly advocated, first, by yourself; next, and powerfully, by the 'Daily News;' and, lastly, by the 'Gazette,' (though he would recommend a small tax, by the Government, in preference.) Why, then, might not my Address to the Public, in reply to the attacks—intended to injure, as well as insult, the originator of the approved movement—be addressed to, and with propriety appear in, each Paper, which would support—as you have kindly done—a fellow-colonist, and a stranger, under the malevolence and un-English treatment which I am suffering, and which you heartily condemn!

I have the honor to be,

Sir,

Your obliged and obedient Servant,

N. L. KENTISH.*

Queen-street, 1st August, 1849.

* Neither this letter, nor the note to which it is in reply, were intended by the Author to appear in this work, with which they have little to do. But their having been inadvertently transcribed with the other letters, was not discovered till too late to alter the Press.

N. L. K.

Queen Street, August 7, 1849.

To John Duerdin, Esq., Solicitor.

SIR,—

The gross attacks upon me in the 'Melbourne Herald,' which I pointed out to your notice the day after publication, having not only completely destroyed my peace of mind, as a person sensitive to character; but having succeeded but too well in their desired effects, of both injuring me—a stranger in this community—in public estimation, and of destroying my prospects, by depriving me of the almost certainty of an important, permanent, and valuable situation, as Manager of the Association which I have originated, and which is now in process of organization—(both of which *facts*, I am enabled to *prove* by a score of Gentlemen, all witnesses of the highest character and intelligence—) I feel that it is perfectly *compulsory* on me—unless I submit to be ruined in circumstances, and also degraded in society—to vindicate my character and fair pretensions; which I hope to be enabled to shew, are as high as those of any Gentleman in these Colonies, who has faithfully served the Crown two-and-twenty years, as I have done, with the highest acknowledgments of services; and still have the honor to be a recognized Civil Officer, of the Government of Van Diemen's Land.

Great as is my repugnance to having recourse to law; yet is it *the only constitutional* means of vindicating my character, and setting myself right in a community in which I contemplate settling permanently, with my growing-up family; and, as I have reason to know, that some at least of the Gentlemen who were kind enough to co-operate with me in establishing a Sheep and Cattle Assurance, have been influenced to withdraw their support from me, and to view me with suspicion, in consequence of the *inuendos* of the 'Melbourne Herald;' and, as I further know, that whilst the few to whom I am well known, may not have been much prejudiced by the artful attacks on me; *the many* to whom I am known only by name, are inconcealably, even avowedly prejudiced—the enquiry having been actually made by several persons, "What could be 'meant' by the 'Herald?'" Was Mr. Kentish an *expirée convict*, from Van Diemen's Land?" *Such* is clearly implied; and I know it is thought by many Gentlemen who did, and by others who did not know me, that *such* was studiously intended to be implied, by the false allegation, "that I know what he *might* say;" and "his *mild strictures* in saying so little," &c.

Were I not a Christian, and desirous of making my practice consistent with my recorded precept; I should not have forborne taking the law into my own hands; but that would be neither proof nor argument, to convince my fellow-colonists of the malice of Mr. Cavenagh's audacious and unwarrantable insinuation—which is my object: and I happen to have written as strenuously against duelling, as an Editor, as against capital punishment, as an Author. But I may not, *nor will I submit* to labor under the stigma cast on me by George Cavenagh—the wilful and malicious injury, inflicted on me by the 'Herald.' *Therefore*, Sir, I have to request, that

you will be good enough to commence an action against that person, *this day*, for wilful and malicious libel, as false also as any words can be which are not specific, but in general terms conveying a vague but sweeping denunciation of character; as I am anxious the cause should be brought to trial *as soon as possible*. I will wait upon you personally, to talk over the matter, and explain to you the nature of the indubitable testimony by which to sustain the prosecution; but instead of waiting till a meeting takes place of the gentlemen co-operating with me to form a Stock Insurance Company, and being guided by their—perhaps not unanimous—advice, (which was my intension, and for which purpose I have so long delayed—) I perceive that delicacy requires of me to act in such manner as is due to myself, *without waiting*, as it might be thought, and would be sure to be alleged, for an excuse through them, of backing-out of a measure, which, however unpleasant to my feelings—I am *quite sure*, that honor and manly sentiments render imperative, on one who values his character far more dearly than his life. I could, therefore, wish the Notice of Action to be served on Mr Cavenagh this very day.

I have the honor to be,

Your very obedient servant,

N. L. KENTISH.

It not being necessary; the Publisher deems it more proper not to introduce the reply of his able and respected legal adviser.

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At the foot of a letter addressed to the Editor, on the subject of Religion; but of a character which would be designated by most professing Christians, the production of a fanatic or monomaniac, in the 'Melbourne Herald' of the 24th of August; the following Note appears: and to shew beyond the possibility of doubt, that the *animus* of the Editor, in penning this piece of impertinence, and annexing it to Mr. Reed's singular epistle, was to make it in the highest degree insulting to Mr Kentish, it is only necessary to observe, that the Editor has stated, in his notice of another letter from the same correspondent in the 'Herald' of the 29th of August, "it is wholly unsuited to the columns of any newspaper, and particularly to ours:"—

"We don't exactly know what to make of our correspondent; "there is a sort of 'N. L. Kentish' style about him—an itching for "writing about HIMSELF\*—which is not very likely to be very con-

\* This imputation is as false as insolent, and as insolent as false: an imputation of no serious enormity certainly; but charging me with an offence against good-breeding. The Reader, therefore, is requested to consider and decide, upon the honor of a Gentleman, whether himself, or any other man of character, attacked in the most malicious and injurious manner by the Press, and held up by inuendo, as artfully as awkwardly worded, as all that is base—is fairly chargeable with "an itching to write about HIMSELF," if he reply to his traducer, and endeavour to avert the "bowie knife" of a Moral Assassin. Of such intention, and of deter-

"siderably appreciated by the public. However, we have put his "letter in type, although, strictly speaking, it ought to be paid for as an advertisement.—*Melboarne Herald, August 24, 1849.*

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### MURDEROUS ASSAULT.

Yesterday, at noon, as Mr. Cavenagh was standing in Little Collins Street, near the 'Herald' Office, with his hands in his pockets, Mr Nathaniel Lipscomb Kentish, without the slightest warning, struck him violently over the head twice with a metal hammer handled riding whip, using the hammer end, and which must have felled Mr Cavenagh to the earth, but for the blows being partly warded off by his left hand, which was damaged on the

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mination to vindicate my character, I am entirely guilty, as expressed in the Preface ; but, so far from having, as implied, needlessly brought my name, and especially my disagreeable reminiscences, before the Public ; it must be palpable to every person of understanding and candor, that it was not voluntary, but compelled by a sense of duty, that I gave a sketch [Letter, p. 42.] of my life and adventures in Australia ; (in doing which I necessarily related circumstances which it must be obvious that I would have preferred should remain forgotten or unknown—) wholly in self-defence, with a view to counteract the effect studiously aimed at, by the 'Herald,' as the object of his artful insinuations, concocted and published expressly for the malignant purpose of lowering me in public estimation, and damning me if possible in the respectable community I was just entering, in which to settle my family, and to seek an honorable livelihood.

How far these atrocious and deliberate efforts to ruin me in character and in fortune—in the latter, through attacks on the former—have been permitted to succeed ; and through me, to injure the interests of this entire community ; this little publication will make apparent.

Whatever be my real offences against society ; at least it will be seen, that I am guiltless of retaliation upon mine ancient and inveterate enemy. "He never forgets" injuries—real or imaginary ! I am so happy, as not long to remember them. Instead of intimating that "I know a great deal that is very shocking, about Mr. George Cavenagh, if I but chose to out with it ;" I may truly assert, that if I knew a thousand circumstances to Mr. Cavenagh's disadvantage, I should neither mention nor allude to one of them, unless it bore on the matter of his attacks on me. It was ever opposed to my practice and especially to my taste, as an Editor, to deal in personalities ; and I should have profited little by experience, could I be induced to follow such disgraceful example now—to be guilty of the indecency I complain of—the conduct I despise and condemn. I am no match for my calumniator. A Gentleman is incapable of scurrility. He may be provoked to resent injury and insult, and even to commit violence, because he is a "Man ;" but he cannot be guilty of vulgarity, or abuse, because he is a "Gentleman ;" and, for the same reason—especially if he be also a Christian in anything more than in name—he cannot be guilty of perjury, of falsehood, of malice, of deceit ; he cannot deliberately break the ninth commandment ; nor specifically, or insiduously "bear false witness against his neighbour."

N. L. KENTISH.

occasion. Mr Cavenagh grappled with his assailant, but from previous illness occasioning great weakness, and slipping at the time, both came to the ground together. Subsequently the hammer was wrested from the assailant, and a warrant issued for his apprehension. He will be brought up at the police office on Monday. Mr. C. was totally unarmed when the assault was committed, and wholly unaware that any such ruffianism was intended. One singular feature of aggravation in this case, and which will be proved at the police-office, is, that the assailant contemplated a *murderous* assault—for it is a fact that half an hour prior to the attack, Kentish, armed with a knotty stick of very respectable dimensions, ( which he usually carries) and with a “knob” to it far larger than a billiard ball, called at Mr Bear’s, and seeing the metal hammered whip handle, (now in Mr. C.’s possession,) took it away *leaving his own stick in its place*, coolly remarking as he did so, that “Mr Bear would not want it for half-an-hour!” The cause of this gross outrage on public decency and propriety, and the *only* cause, is the following editorial remark appended to a letter written by a Dr. Reed, which appeared in yesterday’s ‘Herald,’ and which the Editor thought unnecessarily alluded to the private transactions of the writer. It was as follows:—“We don’t exactly know what to make of our correspondent; there is a sort of ‘N. L. Kentish’ style about him—an itching for writing about HIMSELF, which is not likely to be very considerably appreciated by the public.” We say this was the only reason, because Mr. Cavenagh’s (assumed) notice of Mr Kentish in his ‘public’ capacity, as an announced Secretary to a ‘public’ company, had been met by a statement from Kentish, published with his signature appended, in the ‘Argus,’ to the effect that what had previously to the assault been remarked of the assailant, had been handed over for advice to “an eminent solicitor,” from whom Mr. Cavenagh, as the assumed editor of the ‘Herald,’ would in due course hear.” It is scarcely necessary to state here that Mr. Cavenagh has *not yet* heard from his “eminent” friend, although this threat was made weeks ago, but as he, Mr. C. (with a thorough knowledge of his assailant) fully expects the epistle from the “eminent” counsel referred to, it must now be admitted that the above editorial remark to Dr. Reed’s letter, was the sole cause of the murderous attack above recorded.—*Melbourne Morning Herald, August 25, 1849.*

[CONTINUED.]

Mr. Nathaniel Lipscomb Kentish appeared at the Police Office on Saturday, to surrender himself on warrant, for the assault on Mr Cavenagh (the particulars of which appeared in Saturday’s ‘M. M. Herald.’) Mr. Duerdin, solicitor, attended on his behalf, and applied to the Mayor to have defendant discharged upon his personal recognizance to appear to answer the charge; he understood a *Warrant* had been issued in the case, and if so, it was a most unwarrantable proceeding. The Mayor had nothing to say to the issue of the warrant, but he could not consent to the discharge of the defendant on his own recognizance; he would fix the amount of

his bail at himself in £20, and two sureties in £10 each. Kentish having found the necessary bondsmen, was subsequently discharged, to appear at the police office this morning—when the charge will be investigated—*Melbourne Morning Herald, August 27, 1849.*

The *Dreadful Accident-Maker* to the 'Herald,' it will be seen, is under an incalculable debt of gratitude to the author, for having afforded him such an enviable opportunity for the display of his lively imagination, and exuberant powers of *accurate* description, rivalling those of the celebrated Baron MUNCHAUSEN, and for bestowing on him as the Hero of his Drama, no less a personage than HIMSELF, the Proprietor, Publisher, and ostensible Editor of the Publication destined to record his undeserved and unprovoked horsewhippings—and the *fell* purpose of his ferocious assailant, who, beyond all doubt, must have been "possessed" of *super-natural* powers, which alone can account for his lashing and overthrowing the "big Editor," half as tall and as heavy again, as himself.

The Author of this pamphlet, can in no respect compare with the suffering "dreadful-accident-making Editor;" for, besides being inferior to him in pathos, as in narrative embellishment, he is deprived of the advantages of Editorial licence, by labouring under the misfortune of conscientious scruples, compelling him to adhere to *truth*, especially in an account of what relates to himself. His narrative must therefore be very tame and uninteresting, after the highly coloured picture, drawn by the talented but horse-whipped Editor. It would run simply thus:—"Feeling it to be his un-perative though unpleasant duty, to resent such renewed and intolerable insult, as that deliberately and gratuitously poured forth on him in the 'Herald;' and having no design on his enemy's life; instead of "calling him out," to shoot and be shot at, (although himself a good marksman,) Mr. Kentish horsewhipped his libeller in the public street, where he could find him—but never struck him on the face at all, nor used the butt-end of the whip: after receiving a sound thrashing, on Mr. Kentish renewing the flogging, Mr. Cavenagh rushed at him, when they wrestled, and Mr Kentish threw Mr Cavenagh *in the gutter* immediately fronting his Printing Office, which was one pool of mud at the time, Mr. Kentish being pulled down by, and falling on him. Whilst on the ground, the whip was pulled out of Mr. Kentish's hand by one of Mr. Cavenagh's printers, who subsequently handed it to Mr. C., who observed "he now ought to use it;" but he did not attempt such a thing. On walking away, Mr. Kentish said to Mr. Cavenagh in a loud tone of voice, "that's what you have long deserved, and I only regret that I had not given it you some weeks ago, which might have put a stop to the abuse of a low, scurrilous, U.F.E. libeller."

This is a true statement. Mr. Cavenagh's arms were hanging in the ordinary way by his sides, whether his hands or thumbs were, (or were not,) in his Chesterfield coat-pockets. As to my

coming behind him, I have only to say that it was *impossible*; and the falsehood is too absurd to have been credited by one single person.

N. L. KENTISH.

Of the second assault the same may be said. Mr. Cavenagh stated upon oath, "that his hands were in his pockets," yet states "*he had in his hand the very horsewhip*, with which he had been flogged by me on the former occasion."

N. L. K.

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POLICE OFFICE.

*Monday, August 27, 1849.*

ASSAULT.

(Before His Worship the Mayor and Mr. Westby.)

The Court was crowded this morning by persons anxious to hear the assault case of "Cavenagh against Kentish." In consequence of a second assault having been committed by the defendant that morning, at the police office door on Mr Cavenagh, great interest was exhibited by those present to hear the issue.

When the case was called on,

Mr. John Stephen, who appeared for complainant, stated that Mr. Cavenagh had on Saturday last, made up his mind to forgive Mr. Kentish, if he would express his regret for the assault, and had actually come to the court this morning to put a stop to further proceedings. But instead of an apology, the defendant assaulted Mr Cavenagh this morning at the police office door, in a most violent—

Mr. Duerdin was sorry to interrupt Mr. Stephen, but he thought it highly indecorous to allude to matters which occurred subsequent to the assault for which Mr. Kentish now appeared before the Court.

Mr. Stephen was then about to explain the case, when

Mr. Duerdin remarked, that defendant had not pleaded to the offence, and wished to know whether the bench would adjudicate upon the first offence singly, as that was his wish.

The bench were inclined to go into both cases at once, but changed their intention on hearing the arguments of Mr. Duerdin against such a course being adopted.

The affidavit upon which the warrant was granted by Mr. Russell was then read over, and its correctness sworn to by Mr. Cavenagh. It alleged that on Friday last, while deponent was standing near his office, with his hands in his pockets, Mr. Kentish came up and struck him with the handle of a heavy whip several times, which broke his finger ring, injured his knuckles, and left marks on his left arm and shoulder.

Mr. Duerdin pleaded guilty to the assault, but had something to show in mitigation of punishment.

Mr. Stephen examined the complainant, and elicited from him

that the only cause he could assign for the assault, was the appearance of an editorial note in the 'Herald' of Friday.

Cross-examined by Mr. Duerdin—Remarks have appeared in the paper of which I am conductor relative to Mr Kentish; the editorial note now shown was published in the 'Herald.'

By Mr. Stephen—Mr. Kentish had availed himself of the columns of another paper, to reply to previous remarks in the 'Herald.'

Mr. Stephen—Had you any ill feeling against Mr. Kentish when you wrote that editorial note?

Mr. Duerdin objected to the question. The Bench would judge from the language used.

Mr. Stephen.—Well, let it go for what it is worth.

Mr. Kentish requested permission to give evidence in the case, to controvert the allegations set forth by Mr. Cavenagh.

The Bench could not allow such a course.

Mr. Kentish thought, as he was a principal, his evidence was equally admissible with that of Mr. Cavenagh.

Mr. Stephen said that he could not permit the defendant to deny the allegations, after pleading guilty to the assault charged against him.

Mr. Kentish did not deny the assault, but the truth of the statement that he took Mr. Cavenagh unawares, and while his hands were in his pockets. He certainly struck him over the shoulders with a whip in the usual way, and good use he made of it. He wished the Magistrates had been there to see the execution he made. (Laughter.)

After some consideration, their Worships fined the defendant £4, and £1 costs; they did not consider the editorial note alluded to, as any justification of the assault.

Mr. Cavenagh intimated to the Bench, that he had no ill-feeling against Mr. Kentish, and did not wish to press the second charge of assault.

Mr. Kentish said he would insist upon the charge being gone into.

Mr. Cavenagh then consented to go on, but trusted their Worships would recollect that it was at the especial request of the defendant himself.

Mr. Duerdin intimated that he did not appear in this case.

Constable Staunton deposed that he saw the defendant that morning strike Mr. Cavenagh at the Police Office door, with a heavy handled whip, at the same time saying "you —— infernal villain!" After a few blows were exchanged, Mr. Cavenagh knocked defendant down.

Cross-examined by Mr. Kentish—I did not see the first of the assault; the handle of the whip was used by you when I saw the blows aimed at Mr. Cavenagh.

Mr. Kentish assured the Bench, that he struck the complainant with the whip in the usual way, and did not turn the handle till attacked by Mr. Cavenagh. He had purposely selected the most public place for the assault, so that Mr. Cavenagh could not say he had done the deed stealthily and cowardly.

Mr. W. Tennent deposed, that while standing at the Police Office door, conversing with Mr. Cavenagh, the defendant came up

and attacked the complainant with a whip; he came up from behind,\* while Mr. Cavenagh's hands were in his pockets; they were not talking about Mr. Kentish at the time he came up; Mr. Kentish did not speak before he struck complainant; he called Mr. Cavenagh a liar, and used other language that Mr. T. did not remember.

Mr. Kentish—Did I not call Mr. Cavenagh a liar, before I struck him?

Mr. Tennent—You struck first.

Mr. Kentish—Were not the blow and the expression simultaneous?

Mr. Tennent—I do not consider they were.

By Mr. Cavenagh—You were quite unprepared for the attack, your hands being in your pockets; you were taken quite un-awares.

Mr. Dalmahoy Campbell identified the whip produced, with which the assault was committed, as his property; it had been taken out of his office without his knowledge or consent.

Mr. Kentish said he took the whip without Mr. Campbell's knowledge, as, if that Gentleman had been aware of the purpose to which it was to be applied, he might be involved in a disagreeable matter.

Mr. Cavenagh again reminded the Bench that he had no ill-feeling against Mr. Kentish, and stated that on Saturday last he had informed Mr. Dalmahoy Campbell, that he intended to forego all proceedings in the assault case.

The Mayor replied that it was evident Mr. Cavenagh had no ill-feeling against the defendant.

Mr. Kentish then addressed the Bench at considerable length, in the course of which he alluded to the power of the Press to do good or evil, as it was managed by upright or malevolent minds; he then proceeded to explain the nature of the numerous attacks which had been published against him in the 'Herald,' which went out to the world uncontradicted; he complained of the *ex parte* statements of the assault of Friday, as published in the 'Herald,' "in which (said Mr. K. with emphasis) there are four distinct falsehoods, so help me God!"

The Mayor could not allow the time of the Court to be taken up with what was foreign to the assault now before them.

Mr. Kentish said he would not have complained, if a fair account of the assault had been given, or if Mr. Cavenagh had waited till the case was fairly disposed of in a Court of Justice, and not given *ex parte* statements. He had no other way of vindicating his character from the attacks and calumnies of a libellous Press, but

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\* "From behind him, the witness," must have been intended, if not expressed by Mr. Tennent. The two gentlemen being in conversation nearly face to face, Mr. Kentish could not approach Mr. Cavenagh in front, who was the farther off of the two, without passing the right shoulder, and rather from behind Mr. Tennent, which caused him (Mr. Kentish) to be on the lower ground, and to be thrown by the greater weight of his adversary; as was witnessed and can be proved by the person who held the whip for him till the right moment, and by many others.

that which he had adopted, and he only wished the Mayor had been there, to see how effectually he did it. (Laughter.) The Press ought to be the organ of truth; as such he would always support it, but in this instance it was a slanderous organ, and considering the great provocation he had received from the complainant, a fine of one farthing would sufficiently answer the ends of justice.

The Mayor said the Bench were satisfied that the assault had been committed, and as a punishment would fine the defendant £5, or in default two months imprisonment; he was also to keep the peace for six months, finding sureties in the amount of £50, and himself to be bound in a like sum.

Mr. Kentish wished to know if complainant was not also to be bound over, as he was continually attacking him in his paper. In fact he (Mr. Kentish) had suffered five weeks' persecution from Mr Cavenagh.

The bench said there was no complaint against Mr. Cavenagh before them.

Mr. Cavenagh (to Mr. Kentish)—I'll not trouble you any more.

Mr. Kentish—I shall not rely upon your word, Sir.

The defendant reminded the bench that they had no power to fine him, and at the same time order him to find sureties to keep the peace.

The Mayor replied that it was too late to change the sentence, even if it were so.

Mr. Kentish stated his intention to appeal against the whole proceedings, and said he had instructed his attorney to commence an action against Mr. Cavenagh for libel.

The defendant then retired to the Clerk's Room, to enter into the necessary recognizances.—*The Argus*, August 28, 1849.

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Apollo,
Little Flinders-street, Sept. 12, 1849.

DEAR SIR,—

The enclosed letter* is expressive of sentiments which I cannot alter, any more than I am capable of altering the constitution of my own mind, or the opinion with respect to conduct, which adherence to high principles throughout the trying experience of a very chequered life, has rendered inflexible, viz., that it is the *imperative duty* of a man who values his character, to vindicate his honor, unless he be so much superior to the rest of the world (which *I am not*—) as to be *indifferent to what is said or thought of him*, if he have but an approving conscience. This may satisfy a philosopher, or a high public functionary, who can afford to trust to time and circumstances to do him justice, knowing that "Truth will ultimately prevail;"—nay, even a strong-minded man may patiently endure unmerited obloquy, *if rich*; but a humble member of the community, having bread to earn for himself and family, and who desires *to enjoy as well as to deserve* the good opinion of the community in which he is about to settle—

* Next following this.

especially being in quest of a situation entirely dependent on the public voice—is, I deem, bound to vindicate his character from false and injurious aspersions. Accordingly it is my wish to give Mr. Cavenagh notice of action for libel, and to include in the declaration the whole of his maliciously false, injurious, and insulting accounts of each horsewhipping which I conferred on him. If there were no other means of proving the falsehood of these representations calculated to bring me into public odium as a cowardly ruffian capable of using a "bowie knife," instead of a peaceably disposed man, but not deficient of physical any more than of moral courage, when circumstances call for its exercise, which a *true report* of the mode in which I chastised my powerful aggressor for his lies and unprovoked insults heaped on me, would shew me to be; I would undoubtedly prosecute Mr. George Cavenagh *criminally*, for "wilful and deliberate *perjury*," which might be established by the willing testimony of some, and the unequivocal testimony of many witnesses *who saw me* chastise him, and who know, as well as does Mr. Cavenagh himself, that I did not horsewhip him in public in any but the most approved and gentlemanly manner—with my gloves on, that I might not soil my hands upon him; in fact, *as handsomely and impressively* as one would wish to do in the face of the public. But as this may be proved on trial of the civil action, in order to shew the aggravated nature of his insults and libels continued for a period of two months, by evidence that they are based on perjury as well as on malice; I would not wish to proceed *criminally* as well as *civily* against the same individual; although the perjury of the last two libels, is a distinct offence against the laws of God and Man, subsequent to the insinuations to my injury, of the artful and malicious libels respecting which I first had the honor of calling on you professionally.

Permit me, Sir, here to endeavour to set myself right, with respect to the assault in front of the Police Office, for which it is my misfortune to be condemned by my friends, and even by you amongst their number. I regret the circumstance, and admit that it was *impolitic*; but on every principle of honor and manliness, I conceive that I was and am justified in resorting to it. No one, I believe, ever doubted that my first essay was perfectly *called for*, as the justifiable resentment of gross insult. Common decency would have induced any publisher, *being a Gentleman or a man of principle*, to abstain from comment on, and almost from allusion to a case of his own, until the facts should transpire at the Police Court: but my friend, who "bears me no ill-will," after obtaining a *warrant* for my apprehension, publishes an *ex-parte* statement of his case with me *before trial* whilst it is yet *sub-judice*, in his own Newspaper, abounding in insulting falsehoods, representing me as a cowardly assassin. Admitting that I had assaulted him, how else could I prove to the world that I did so in a manly, not cowardly manner, than by repeating the operation in the most public place, and in the most masterly and approved manner? Even this too, is misrepresented upon oath; and although the trial was postponed from Saturday till Monday at Mr. Cavenagh's desire, to enable him to produce a

number of witnesses whom he had subpoenaed; yet did he bring forward *not one*; but I was convicted and sentenced *on the prosecutor's unsupported testimony*, which can be proved to be utterly *false* with respect to both cases: and in the second, the worthy Mayor (albeit a much better Merchant than Magistrate,) having unfortunately no legal gentleman on the bench to correct him, committed the serious error of refusing to receive my testimony on oath, or even to hear my explanation of the assault, and of its extreme provocation; and *as a Judge* ruled, and acted upon the monstrous and clearly illegal doctrine, that "Mr. Cavenagh's publication of Saturday, misrepresenting the particulars of the assault of the previous day, might have been received in justification or mitigation of that first assault, to which it was a subsequent proceeding; but could not be (and *was not*) received in justification or extenuation of the second assault which it provoked, and of *which it was the sole*, but very sufficient and natural *cause*!" Surely every one ought to be confined to the trade or profession that he *does* understand. It is obviously as dangerous, though not as unconstitutional, to entrust the administration of law, as it would be of pharmacy or surgery, to a Merchant or Squatter. I often wonder whether the injustice and absurdity of their doctrine, as delivered from the bench, and recorded by the press, as above, must not on reflection, have occurred to their Worships' understanding and better judgment, or have been pointed out to them by some of their magisterial friends less ignorant of Law.

I will do myself the honor of calling at your office, to-morrow; and remain,

My dear Sir,

Your faithful and obliged Servant,

N. L. KENTISH.

J. Duerdin, Esq., Solicitor.
&c., &c.

Little Flinders and Russell-streets,

8th September, 1849.

DEAR SIRS,—

The sentiment enunciated by the great moral Philosopher, Dr. Johnson, being in my mind an established axiom—that benevolence or "charity would lose its very name and nature, if it could be influenced by so inferior a motive as thanks, or *human* praise;" I can but refer you each to the gratifying emotions of his own warm and generous heart—"that heart that can feel for another," for that real reward of unmerited kindness, which, with the warmest feelings of gratitude to my friends in need—my friends in deed—I respectfully acknowledge.

My thanks are more especially due, as strongly felt, to R. A. Balbirnie, Esq., who with kindness and munificence worthy of a Prince, on becoming aware of my incarceration, by perusal of the 'Argus,' promptly forwarded a cheque for £10, to effect the release of a stranger, whose misfortune excited his generous sym-

pathy; and to the 'Argus,' for the friendly and powerful support of a talented and independent Press; as well as to those of my friends in particular, who have not only contributed liberally, but have further given their valuable time, and exerted their interest personally, to enlist more friends to my rescue. Would, that it were in my power to express my thanks by deeds, instead of words only, for such generous sympathy. It is my happiness to feel conscious, that the favorable opinion thus manifested towards an unfortunate, is not wholly undeserved: and, I trust, that both by my old, and by my new friends, and by the Public, my desire and determination to *prove* myself entitled to their confidence, by exposing the malicious falsehoods *still heaped on me* by the 'Herald,' will be approved; for, *of his character, as of his life, every man is the natural and sole guardian.*

There are some injuries and insults, to submit to which unresented, a Gentleman must lose *caste* in society, as either guilty of what is imputed to him, or, as a poltroon, to leave his calumniator unchastised. But there is, I believe, amongst Gentlemen, a *proper*, as well as an improper *mode*, of resenting indignity. Had I shot Mr. Cavenagh, (except in a duel,) I would be an assassin. *If* I did attack him in an unmanly manner from behind his back, and *if* I struck him on the face and head with the hammer handle of a horsewhip, on both or either of the two occasions, I must be a base coward; and instead of having vindicated my insulted honor, have but added to my disgrace. [If, however, any of you believed this, I feel assured that you would not have come forward as *my "friends."*] If, on the contrary, I saluted my traducer in front, on both occasions—if I never struck him on the face at all—if I applied *the lash*, and *not* the handle, of the whip, to his shoulders only; *then*, is that person, who has studiously, and but too successfully, endeavoured to blast my prospects, and to defame my character, both before *and since* the assaults which he provoked—(but who now finds it convenient and politic, hypocritically to pretend, that "he has *no ill-feeling* towards me;")—an artful and malicious liar—which, on my honor, indeed he is—and guilty of wilful and deliberate perjury, on which I was convicted, and fined. As *neither* assault was committed by me *in the dark, nor in private*, I feel that *I owe it to my friends* and to my family, as well as to myself, to adopt such constitutional means as are open to me, to cause *the truth* and the whole circumstances of the case, to be legally and judicially *PROVED* to my fellow-colonists—that is to a jury, as the representatives of my adopted Country—as the delegates of the Public of Australia, in which community I wish to enjoy as well as to deserve, the respect due to the conduct of a Gentleman, of which I am, and throughout my life have ever been, tenacious.

It is not from vindictive feeling to the 'Herald' Publisher, but to prevent the false and reiterated statements of that journal leaving an unfavourable impression with respect to me, permanently in the public mind—the very object of my traducer—that I feel it to be my imperative duty, to prove the utter falsehood of its malignant misrepresentations from first to last; and thus to vindicate my character; which surely I cannot be blamed for the determina-

tion to uphold, in this Colony, in which I hope to settle permanently with my growing-up family.

With best respects, and grateful thanks for all your generous and friendly assistance, which I feel much more deeply than my feeble words can express;

I have the honor to remain,

Gentlemen,

Your faithful and obliged servnt,

N. L. KENTISH.

To Dalmahoy Campbell, Esq.; John and John S. Bear, Esqs.; Joseph Raleigh, Esq.; W. Locke, Esq.; J. Duerdin, Esq.; and the kindly associated Friends of the undersigned.

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Having perfect confidence in Mr. Kentish's word of honor that he would not let any circumstance induce him to thresh Mr. Cavenagh again, or break the peace, for the next six months; his friends, Alderman Kerr and Mr. James Blackburne, joined with him in the necessary bail: but those Gentlemen did not dream of his being deficient of a ten-pound Note; which fact, his aversion to asking a pecuniary favor, deterred him from naming, until at last he was incarcerated in default of payment; and after some days the circumstance became known. Then, the kind notice of it by the 'Argus' attracted attention—and through the exertions of a few friends, Mr. Balbirnie's kind intention was anticipated, the fines paid, and a balance of £20 presented to the victim of the 'Herald's' persecution: the above two letters explain the rest.

It must be surprising to the Port Phillipians, as painful to the writer and his family, that such should be the case, after his having been in receipt of a salary of £500 a-year. The fact, however, and the extraordinary causes of incredible misfortunes, are as well known both to the Lieutenant-Governor and to the Colonists of Van Diemen's Land, as any circumstance can be: and will assuredly be brought judicially before the first Governor-General and House of Delegates of the Australian Colonies; by whom, it is hoped that after years of persecution and of suffering, the victim may yet be afforded redress of cruelty and injustice, perhaps quite unparalleled—which could not have been permitted, had not the investigation he has contended for, been defeated, by the official influence of the parties violently opposed to him; whose enmity the Editor of the 'Melbourne Herald' has chosen to emulate in Port Phillip. There is a fatality attending some persons, as well as a Providence over all. Happily, there is also a turn sometimes, in the tide of human affairs. 'Nil desperandum.'

# PAPER

## ON THE PHYSICAL QUALITIES AND CAPABILITIES OF AUSTRALIA FELIX,

WITH REFERENCE PRINCIPALLY TO THE BEST REMEDIES OF THE GREAT EVIL OF THE INTERIOR (ESPECIALLY THE MURRAY DISTRICT—) A DEFICIENCY OF WATER—READ BEFORE THE MEMBERS OF THE MECHANICS' INSTITUTE, MELBOURNE, JULY 25, 1849, BY N. L. KENTISH, ESQ., LAND SURVEYOR AND CIVIL ENGINEER, MANY YEARS A GOVERNMENT SURVEYOR IN THE AUSTRALIAN COLONIES, AND FORMERLY PROFESSOR OF SURVEYING AND ICHNOGRAPHICAL-DRAWING, IN THE ROYAL MILITARY COLLEGE OF ENGLAND.\*

SINCERELY and cordially participating in the sentiments, which I am bound to believe pervade the assembly which I have the honor to address, and to which I am indebted for this attendance—as the feeling which is the characteristic of literary associations—viz., a fondness of literature, and a desire to enjoy and to disseminate the pleasures and advantages of its ameliorating influence; no apology will be required for my effort, however feeble, to promote *the object* of the Melbourne Institute—mutual instruction and the spread of useful information;—yet would it be presumptuous of me, as a comparative stranger, to address you without a brief explanation of the circumstances which have induced me to appear before you.

As an old Colonist, who had seen, thought, and written much in New South Wales, South Australia, and Van Diemen's Land; it would have been strange indeed, if on first visiting this most favoured Province of the Continent, last year, I had not been struck with the peculiarities and advantages pertaining to this extensive and insurpassably magnificent pastoral country. I naturally jotted down my observations, on such matters as appeared to me most deserving of attention; and these remarks upon Australia Felix, and upon this City of Melbourne, the capital of the noble Province of Victoria, collated from my field notes and general diary of six months spent in Port Phillip last year—may I venture to hope, be not wholly unworthy of your kind attention.

\* The Author being averse to copying, and also deeming it more FAIR to the Critics and Literati of Port Phillip, and especially to such as repose any confidence in the 'Herald' or his alleged but unpublished correspondents, to lay before them the Essay which was so impartially commented upon; has abstained from either of several corrections, which he is aware of being desirable in the composition; and has handed to the Printer the very notes from which he read, which are now given 'verbatim et literatim'—necessarily exclusive of some extemporaneous remarks, which, however, were few and brief.

The advantages which Squatters enjoy in these fine pastoral countries, unrivalled in the British Empire, whose various and varied colonies are scattered with no niggard hand over the vast surface of the Globe, and most extensively in the Southern Hemisphere, and throughout this Continent of Australia in which it is our privilege to colonize:—these advantages, are so well known to that fortunate class of Her Majesty's Australian subjects, that all I shall presume to offer upon this circumstance is, my respectful and sincere congratulations, to that honorable, useful, intelligent, and enterprising body of settlers, collectively and individually; but more especially to those gentlemen who have obtained the promise of their leases from the Government officially; and most especially to such as are in possession of them, and of their conveyances of freeholds, whether as purchasers, or as more fortunate grantees, with the Royal Arms affixed to their sheepskins.

The principle which prevails amongst Squatters, and which has, from the very nature of things, until lately, been almost unexceptionably adopted; is that of making all the grazing advantages for their stock, which, aided by the science of their shepherds and cattle-drivers, it was possible to obtain from their locations *at the smallest possible outlay*; with very little, if any regard to aught beyond the present, or more correctly, the passing time. This was quite natural—indeed, it could not be otherwise, when Gentlemen located themselves and depastured their flocks and herds, as promiscuously as parties of pleasure pitch their tents or 'squat' on the grass in Greenwich Park, or Sydney, or Hobart Domain, on the Regatta day—or on her Majesty's birthday, in the natural Park, which surrounds this juvenile but beautiful city, sprung up at the touch of the wand of the great magician, Enterprise; which being in the centre of the happy land, appropriately named "Australia Felix," by its distinguished godfather, the talented and resolute explorer, who discovered and so graphically portrayed its capabilities—is about to be given free institutions and a popular constitution by, and to be further honored with the name of, England's much-loved Queen—the Empress of the British and Australian Empire—Victoria. God bless her Majesty, and grant prosperity to the Province on which she has conferred the honor of her illustrious name.

The Government Regulations of the last few years, giving—if not a fixity of tenure—both the hope and the prospect of such, to Graziers occupying their Runs in the interim, under Squatting Licenses; renewable yearly—and the rapid occupation of good grazing land, so as to leave none—at least *nominaly* none—unoccupied, in the most favored Districts: these circumstances, giving increased value, *i.e.*, desirableness to each located Station, and establishing the undoubted advantages of the Gentlemen who hold Licenses, evidenced by the difficulty experienced by new-comers, of finding unoccupied Runs, unless at distances so immense, or of a quality so inferior, or in a situation so difficult of access, as to be almost worthless:—these circumstances, have totally *altered the case*, within the last year or two; and whilst leases of eight or fourteen years, or even the probability of a still longer tenure, have given a property value to their Runs, that renders it both safe and desirable,

for Lessees in general, to erect decent and comfortable dwellings for themselves, their Superintendents and servants; and renders it also of the highest importance, not only to the avaricious, who would seek to make the very utmost advantage of the Lands leased—or to be leased—to them, during their tenancy; but to the just and even to the liberal—(I do not mean liberal minded only, but even the free, as opposed to stingy or mean—) to consider as men of sense, how, under the given circumstances of the case, they may make the best of their bargains. *i.e.*, the most of comfort, to themselves, and to every member of their establishment, and the most profit in the long run; upon a rational and safe calculation, computing from the present time, to the expiration of their leases respectively.

Of the circumstances—the appliances and the requirements of his own particular estate, each intelligent Settler, or his resident Superintendent, is undoubtedly the best, and perhaps the only judge: but there are several general rules, which may be said to apply to very nearly all Stations. To enumerate these, is unnecessary; as it might appear like doubting the good sense, and sound judgment, universally manifested throughout this Colony, to mention good grass, and pure water, and dry, sound land, and a healthy situation, with good access to town, being the grand *desiderata* of every Settler and Squatter, in Australia. These, are the gifts of a bountiful Providence, which we call Nature; yet is there not one of them, which is not capable of immense improvement by the outlay of capital, and by the application of labor. When this can be done advantageously—that is, when by a small outlay, a great advantage can be obtained—it need not be enunciated, that such expenditure, on property in which one has a long prospective interest, is judicious, and desirable. This, as respects building, fencing, cultivation, road-forming, &c., each person must, and each alone can judge of for himself, according to his views, taste, opinions, and circumstances. But there is one single point, *the most important of all*, in which all will agree, *viz.*:—as to *fresh water* on their Stations, for themselves, their servants, their Cattle, and their Sheep, and Sheepwashing: and as this first great necessary of life, *is that*, respecting which THE DIFFICULTY exists in a greater or less degree, throughout the majority of the Stations in the magnificent, park-like, and almost boundless Interior—as *it is that*, which more than any other, depends on ourselves, and on the exercise of our own judgment, on the employment of the means at our command; as *this* moreover, is a subject with which I happen to be, by profession, somewhat acquainted—and as it is that which I had great opportunity of observing in the ill-watered District of the Lower Murray, during the very dry winter, this time last year; therefore it is, on this particular point, that I have been induced to hope that the results of my observations may not be wholly unworthy of the consideration of the Graziers of Port Phillip; to such of whom as are now present, I would more immediately address myself.

The fact being admitted, that very many Runs, abounding with the finest pasturage, are very lamentably off for water, except during the winter months, and sometimes, even at that season of

the year—it cannot be a question with any sane man, whether it be desirable to remedy so great and serious an evil ; nor will any sensible person, interested in such Station, doubt of its being his duty to himself, or to those whose interests are entrusted to his management, to employ his talents and all means at his command, to effect this great *desideratum*, to the best of his ability.

It may not be improper, before I proceed further—for the information of Gentlemen who reside in the City, and of others who may not be personally acquainted with the interior of the Colony—to assure all who hear me, that the want of water of which I speak, is not an imaginary, but a real and *most serious want* ; which probably many Gentlemen present, may be able but too feelingly to avouch, from their own experience : but I will mention as one instance in proof ; that in the middle of last winter, the Superintendent of a Run, which I surveyed, had to send a water-cart of water from his Head-Station on the Murray, to one of his Out-Stations weekly, a distance of *eighteen miles* ! This, I have seen, and myself, and men with me, have drunk of the water at the Out-Station. I know of several other Squatters who were obliged to remove their flocks from good to inferior pasturage ; the water-holes having almost entirely disappeared, and the small drop of water remaining in some few of them, having become so foetid, that it could not be used, even when boiled. And it is well known, that on one portion of the road or track from the Murray towards Melbourne, no water can be obtained for a distance of 30 miles or thereabouts, in summer, when, from the tremendous heat on those vast plains, the want of that blessed element, is most fearfully felt by man and beast.

My experience applies principally, but by no means exclusively, to the Tumut District, on the North side of the River Murray, for nearly a hundred miles ; but my remarks will, with some restriction, be more or less applicable to stations, in whatever part of Australia, which are not watered by a constantly running stream of fresh water. Nay, even where this great treasure exists, it may be desirable to improve a station, rather than have to drive cattle, but especially sheep, four or five miles, to and from a watering place ; which on some runs is considered a trifling inconvenience ; at least a very short distance in comparison with that which squatters in their rear, have to send their stock to water.

I shall commence with the primitive, and in some respects the best as most simple modes of obtaining—I was almost about to say, *creating* a supply of water—sinking wells, the most ancient ; and damming up channels, down which the surface water must flow in times of rain. In general, the latter is the safer and preferable mode ; and with respect to it, I venture to think that the experience of 30 years' practice of the profession of a civil engineer, (19 of them as a Government Surveyor in these colonies) may enable me to throw out some hints that may prove of real value and importance ; which settlers of sound common sense will be able to appreciate, and to benefit largely by ; which, if many should do, will be of benefit to this glorious Province and to its in general fine manly occupiers—an object which, as an Australian colonist, and the father of an Australian family, is *the wish of my heart* ; whilst

on the other hand, if my feeble remarks, be disregarded and unheeded except by one single individual, that person, be he whom he may, shall not only have my best wishes, but best assistance if he will but intimate to me such desire ; and I hope that I am, without affectation, enough of the philanthropist, to be gratified at the opportunity of benefiting or being useful to any one of my fellow-subjects, whatever ; but even if it be vanity to think so, and greater vanity to avow it—I am well assured that hundreds of settlers may benefit, and that immensely, if they but condescend not merely to hearken to, and to talk, and it may be think of, and afterwards forget and neglect—but to *act upon* the suggestions of a practical man.

In order, however, to begin at the beginning, it may naturally occur to my hearers, that I ought to state whether sinking or damming is preferable, or in what situations the one or the other is to be preferred. If by the trial of a very near neighbour, good fresh water has been found by sinking, at a very moderate depth ; there can be no harm in trying an experiment, by which the gain may be immensely great, and the risk peobably small ; but I would caution you not to be sanguine in the expectation, that because good water has been found near to you by sinking, it must therefore be found *where you sink* for it. I have known, near to land of my own at Adelaide, good water, and brackish or salt water, in wells within a quarter of a mile, or half that distance, of each other, on the same plain. But if the experiment have not been tried ; I would not hazard an opinion—nay, I would hardly allow myself to conjecture, whether the probability is in favour of water being found, and whether of good quality or bad, at a slight depth, or a great one—in any situation whatever ; so much and so often, have I seen expectations based on the most plausible theory, disappointed. No opinion can be formed without certain data ; which data can only be ascertained by a geological survey, not of the locality only, but of the entire country for an immense extent, of which the site selected for trial forms a part ; nor by geological, do I mean merely a conjectural idea of the various strata of the locality and neighbourhood ; but an ichnographical survey, which is what is meant by the scientific in general, in reference to this subject—that is, a sectional map of the surface, rather than a metalliferous description of supposed, and in some respects ascertained strata. But even when the utmost is known, that can be ascertained ; the deduction is but an hypothesis ; and even if the hypothesis or supposition really be, as it often may be, and sometimes certainly is correct ; how many, or at least how uncertain, are the exceptions. Suppose our experimentalist chance (and here it really is all chance) to hit on one of these “ faults,” he may bore a hundred or a thousand feet, without coming to water ; whilst his neighbour has a plentiful supply at 20, or 30, or it may be at 10 : how this happens I will here illustrate ; which, if to the more experienced and thinking of my hearers appears common-place, will be at least instructive, if not also amusing to the young.

Well sinking, though a highly advantageous, and most desirable mode of obtaining water, where it is found on trial to succeed—is a speculative undertaking, the result of which is proved by all

experience, to be quite problematical, or a matter of chance, as I have endeavoured to demonstrate; and might do at much greater length, and more in detail, if I were addressing a class of engineer pupils, and not a mixed assembly like the present.

We will now consider, more at large, the second, and by far in general, the easier, more certain, less expensive, and better mode, of obtaining a supply of water, by damming and excavating—that is, by collecting in reservoirs, a portion of the pure fresh water, as it flows over and from off the surface, almost as fast as it descends from the clouds—which may be done in a variety of ways—upon a large scale or a small one. In some parts of this vast continental Island, it is quite true, that much less rain falls, than in other parts. This I apprehend to be the case in general on very extensive plains. I admit that it is so, and I believe that on the vast flat of the Murray—also in that extending above a hundred miles in South Australia, both to the north and south of Adelaide, although on the sea-coast, such is the case; but this instead of being an objection to the formation of dams, and the construction of reservoirs, by excavation and embankment; is the greatest of all reasons why such plans should be adopted. Mankind is prone to exaggerate—as a mole-hill, if only supposed to contain gold-dust, (at the Pyrenees for instance,) is rapidly extended by common report, into a mountain of gold—so is a calamity, as infrequency and deficiency of rain, augmented, into a season of entire drought. Now, I happen to know, from the most indubitable testimony, viz. :—that of the late Astronomer Royal in New South Wales, from tables kept by himself, of his pluviometer, at Parramatta, where I also resided, and had the happiness to be a near neighbour of my scientific friend, Mr. Dunlop. two or three years; that the aggregate of the rain fallen in that locality, which is unquestionably the hottest and least visited by rain of any part of New South Wales Proper, was so great, that public opinion was not unmingled with incredulity, when published by that astronomer and philosopher some eleven or twelve years ago,\* in support of his well founded theory—to the effect of that of which I am now, the more humble and much too feeble advocate—viz., that it is perfectly practicable, as well as highly desirable, to remedy the evils felt so severely in seasons of drought, which are there of such frequent occurrence, by the application of ordinary intelligence, in preserving in tanks and reservoirs, a supply of that element, of which the want is so severely felt, eleven, or more than eleven months in the year—although enough rain falls in a week or two of the winter—and not unfrequently, in some genial but heavy thunder-shower in the very hottest weather, to supply the country,

\* \* This is corroborated by Count Strzelecki, who says :—“ As compared with other countries, we may now see, that, notwithstanding the general outcry about the dryness of their respective climates, New South Wales and Van Diemen’s Land, are better provided with rain, than even England; thus London—generally noted for its wet climate—has an annual quantity of rain, equal to 22·19 inches, while the average which falls upon the surface of a Station in New South Wales, is 48 inches, and in the sister Colony, 46 inches per annum.”—“ Strzelecki,” p. 194.

Sheep, Cattle and all, for the whole year, *if water were husbanded* with ordinary care, *instead of being permitted to run off to waste*, as rapidly as it falls on the surface; which, being sandy or porous, has not a vestige of moisture remaining on it, after the third day.

It is unnecessary to observe, that a sandy surface cannot be made to retain water, without the entire of the bottom and sides of the basin, being perfectly lined with soft tenacious clay, well worked, in the manner called by navigators ‘puddling;’ and although to do this, and cart the clay from a distance, must be an expensive undertaking—there are *thousands* of cases in this Colony, in which no money could be *so advantageously* expended on a Run. But there are numberless situations, in which the soil is perfectly tenacious, and nothing is wanting but a little labor, judiciously bestowed. Of the modes of employing this, with most advantage, we will now take a cursory glance.

A dead level—which we often hear spoken of on land, as applying to an extensive tract—strictly speaking, does not—nay cannot exist. The vast Plains of the Murray, are in *common parlance*, in many parts, for miles together, “a dead level;” and I can vouch for several situations, which I have tested with the spirit-level attached to my theodolite, and have found not to differ above a foot or two, in a mile: but, and even if I knew, as perhaps I think, that I could point out two spots, a mile, or several miles apart, of *precisely* the same level, to an inch; it not only does not follow, that it will continue so, like the surface of a canal, the whole intermediate distance, from one point to the other, and the same cross-ways, and in every direction; but just the reverse of this. Where the surface soil is entirely sand, and the rain penetrates equally through it, as through one large sieve, this will be most nearly the case; but this is not very general; and even where it is, the whole being saturated, and some water being left on the surface occasionally, in very heavy rains; as this water subsides by running off upon the surface, it will, of necessity, form channels, however slight, coursing away to the river or nearest creek; because, in the nature of things according to the proverb, “Water will find its level”—will run to the lowest ground. Upon even the most level of our Plains then, places may be found, if sought—and I need hardly to observe, that floods and heavy rains, are the best times to find these out—) which are perfectly capable of being converted into, being by Nature adapted for the construction of, Reservoirs. Suppose a Country which is not level, but gently undulating, as that surrounding this City: spots, I feel assured, must occur to the recollection of each person present, which are by Nature well adapted to the purpose we are considering: the most obvious to the superficial observer, is that of a strong channel or ravine, down which the water pours, in time of rain—a strong dam thrown across such channel in a narrow place, will simply and surely form a Reservoir: and this is most true; but an Engineer by Profession, who has made this subject his study, will view the matter in a totally different light, from that in which it is seen by the uninitiated. This can only be explained, but may be so clearly explained, by a diagram; that however roughly it may be represented on a black-

board for canvass, with a piece of chalk for a pencil, my ideas will soon, by this means, be made intelligible to all; and if I were a younger man, or more weak-minded than I am, I should not thus reveal to all, one of the secrets of my profession: but I have very little jealousy in the composition of my mind, such as Nature and some culture have made it: on the contrary, I am a decided utilitarian, and advocate the diffusion of knowledge of every kind, especially of that which can be made practically useful and beneficial to all who will apply the information imparted to them. Here it is—a very simple thing when understood—but like Columbus and his egg; until known, a matter if not of as great difficulty, as standing an egg on its end; of as general ignorance, yet of great importance.

If advantage were taken, by the employment of a little judgment, or it may be science, to make use of those advantages which Nature so kindly presents to the Grazier in this fine pastoral territory; tanks or reservoirs, might be made in ten thousand instances, to contain a million of tuns of water, at less expense than £150—and at the trifling expense of £10 or £20 such minor tanks, as would be beneficial beyond calculation, and would in many instances pay for the expense of construction, in a single season. Of course, it is desirable in such a climate as this, that the reservoirs or tanks should be deep—as the evaporation is great in summer—and water will keep longer pure, when of great depth, as well as being cooler, in proportion as its surface is small: and these are *the very objects* desiderated. In general, it will answer well, to cover an artificial, or even a natural water-hole, with a roof, either of thatch which is best, or shingles, or even thick boughs laid on rafters, to shelter it from the sun, by screening it entirely on the North and West. There are various modes of preventing cattle from rushing into and fouling the water, which is so precious an article as to deserve to be taken care of: but I pretend not now, to such details as these.

I have now briefly adverted to the principal—to the two principal means—by which the terrors of an Australian Summer in the Bush, may be very essentially mitigated; and these two, well-sinking, and especially damming-up—are of almost universal application, as already explained.

But in a very large portion of Australia Felix, I can vouch from practical knowledge, and months of personal observation daily, last winter—though an unusually dry one—that these are not the only, nor the best modes of providing water all the year, on the stations on the Murray; on some of which, I have myself seen water carted to the out-stations, a distance of from 5 or 10 to that even of 18 miles. I trust there may possibly be some few Gentlemen present, from that remarkable district; and from the deep interest which I cannot help feeling in a subject connected with what has ever been with me the favourite branch of my Profession, irrigation—in reference to a Country of which I have surveyed no small portion—(half a million of acres, extending 100 miles on the N. bank of the Murray—) and am, therefore, perhaps, the first person to have observed with professional eyes, and with a spirit-level constantly in hand, the great peculiarities of that magnificent district:—if not

the first to notice, I believe it is my lot to be the first person to draw attention to the subject, by thus publicly, however imperfectly, describing to the audience I have the honor to address, of Port Phillipians, those circumstances and peculiarities, which it is both a sin and a shame, should for another season, or another month, be longer neglected to be made available—of course, I mean, to the benefit of the truly fortunate lessees. It would not, however, be difficult to show, that as the community consists of individuals, the Colony at large, would partake of the benefit; but this would be diving into Political Economy; which is quite beside my present purpose.

The physical construction of the vast Plains of the Murray, is a peculiarity in respect to Australia; and little less so, with respect to the *terra firma* of the Globe. In the district of the Lower Murray, which I have inspected—indeed surveyed—and I believe the same of a vast extent which I have not seen; that magnificent body of water, the reservoir of many millions of acres—that splendid mole, has been ordained by Providence to work its tortuous course—not as is the case in most other rivers, and in all others in these Colonies, and in Britain, with which I am acquainted—as in V. D. Land is invariably the case—through the lowest ground, so as to become the channel into which rain and surface water must flow *from* the adjacent lands: but through a vast plain, of what is called a dead level, and is very nearly such, as I have explained—the sluggish stream flows gently on towards Lake Alexandrina in South Australia, *through the highest, instead of the lowest tract that exists*. The formation of such extraordinary and most advantageous course of a large river, through a level and in general arid Country, is, I apprehend, perfectly explicable on Geodesical, or perhaps I should say philosophical principles. To these I may not now advert, without intruding too much upon your time, which it was proposed to devote to another purpose; and, therefore, I must confine myself strictly, as the lawyers say, *ad rem*. Such, is the great fact, which, though not generally known, I can prove, as I now positively assert; and if there be any Gentlemen present, acquainted with the Murray River District, they must, I know, confirm the truth of my assertion. The River Nile, there can be no doubt, is similarly circumstanced, the overflowing of which fertilizes by irrigation, so large a portion of Egypt: and some considerable portion of the Po, also flows through a channel higher than the land contiguous: and doubtless such may be the case in numerous instances, with which, in this newly-inhabited quarter of the Globe, we are but little acquainted. But this fact is as important to that Country—the Murray District—as it is extraordinary. All the channels connected with that great river—and they are numerous—are the aqueducts formed by water pouring not into, but *out of*, that great basin, when it overflows its banks, as it usually does every winter. This I have witnessed; and as a person practically acquainted with the subject, I could not but be struck with what to me appeared a perfect phenomenon—and a most providential one indeed it is; which I conceive it to be absurd in the extreme—if not actually wicked—to neglect to benefit by. To me, it can only be compared to persons perishing,

or literally letting their flocks and herds perish of thirst, with abundance of water within their reach, which they are too indolent or inconsiderate, to draw from the well—or rather, from the fountain, in their view—nay, forming the very boundary of their Princely Domains. Such apathy, can only proceed from repletion. However excellent the pasturage, healthy and sheltered the Country, and convenient the locality, on which a grazier may have squatted with his flocks and herds: when, on the approach of summer, the want of water is sometimes seriously felt; it is quite obvious, that in a pastoral country of boundless extent, and unobstructed by fences or mountain ranges, or ravines; the migratory shepherds and flockmasters would seek a remedy, by driving their flocks and their herds in the direction which they might judge most probable to find a creek, until they came to water, and would then squat, and keep their sheep and cattle within a few miles of that indispensable element, whether the feed be good or bad—little or almost none. But from the moment a Squatter is limited to certain boundaries—however extensive his Run may be—it certainly behoves him, to adopt means, to provide and secure water all the year round, *on his own grazing domain.*

Some suggestions have been offered, how this may be done in ordinary situations. We will now speak of the extraordinary, and highly favoured situation of the Flats on the Banks of the Murray. I myself have seen, know of, and could point out, hundreds of situations, in which a simple, but stout FLOOD-GATE—which might be made on the spot, fixed and completed, at half the expense of five pounds; would pen up water, and keep all the natural holes, and great part of the channel of a Creek filled, of very many miles in extent, by simply preventing the water running back into the River, when it falls, (which it does, as it also rises, *rapidly*—) and I can point out Stations, not a few, which might, and when the attention of Lessees shall be roused to the subject, I doubt not yet will, benefit far more than £100 a-year, by the erection of a common flood-gate, in a judicious situation, at an outlay of fifty shillings, or we will say of £5. This, Gentlemen, is *the egg!*—when once the plan is adopted—(and I cannot believe persons to be so blind to their own interest, as to neglect this simple, but *sure and important means* of benefiting themselves, and incalculably improving their stations—) it will, it must become general; and it may perhaps be remembered, as I certainly could wish it to be—that the pleasure of publicly making and promulgating this simple but important and practical suggestion, was reserved for the individual who has the honor to address you, this twenty-fifth day of July, 1849.

But this simple and obvious mode of keeping the water in the Wakool, Thule, Beremagad, and a thousand other Creeks and ana-branches of the river on the vast Plains of the Murray, when that river has overflowed its banks and filled them—though the mode of least expense and most easy to be adopted generally—is neither the only nor the best means of watering that country, nor anything like it. By either of several various modes—of which a common pump worked by a crank, is amongst the best for simplicity and economy—(but a steam-engine would of course be more

powerful and effective,) and at a trifling outlay between three or four stations, whose lessees might unite for the purpose—(though I believe I could point out a better, more simple, and less expensive mode than either—) water being raised to, or a little above, the height of the river bank—say 12 or 15 feet perpendicular—a *stream of water* might be kept fresh and constantly flowing from out of the river, to points so distant as 10 or even 20 miles, throughout the entire summer months, thoroughly watering the whole intervening country. Again, by means of pipes—or better, by open shutes or troughs—water might be conveyed, even on the surface of the ground, to any desired locality: and in hundreds of situations, a canal large enough to carry a boat or flat bottomed barge or punt, might be constructed at an expense ridiculously small, in comparison with the immense benefits to be obtained by such, in thoroughly watering—as by a river—a tract at present almost valueless, being quite unavailable in the summer; and at the same time, affording the best possible mode of transit from one estate or one station to another.

By and by, in a few years, when that splendid country shall have become populated—but long before the charming but expensive *desideratum* a railroad can be introduced—(and I have not the slightest doubt in my mind, of steam carriages, conveying at the rate of 15 or 20 miles an hour, (perhaps 30,) all the Sheep and Cattle, as well as bipeds, which at present cannot travel at the average rate of above half-a-mile an hour, viz: twelve miles a day, which is more than far enough, in a journey of two, three, or four hundred miles—by rail, between Sydney and Melbourne, before this day twenty, if not this day ten years—) but between this time and that, it may possibly, and I conceive not improbably, be found well worth while, in several parts of the Country—formed, as it were, by Nature, for the purpose—to open regularly navigable Boat-canals; which may be done at an expense incredibly small, and—if population but increase—with advantages, not incredibly, but amazingly great. Whether these are to accrue to the Government, or to enterprising individuals, with judgment to embrace the golden opportunity, remains to be tested; but I hope and expect, by both.

Much, as Canals are superseded as a medium of transit, by Railroads in *Britain*, which is a cool and well watered Country: in these Colonies of Australia, which are precisely the reverse, in both respects—and especially the Murray District, being *excessively hot*, and in Summer *utterly destitute of water*—Canals must be incomparably more desirable and advantageous than Railways. It is almost surprising to us, who know something of Australia—and to all persons not resident in, and who can have no practical knowledge of this Continent, it must be *very* surprising—that no use whatever, is at present made of the splendid channel and gentle stream of the Murray—more resembling an artificial canal, except from its great and extraordinary bends—for the purposes of navigation. The wonder, however ceases, as soon as it is known and considered, that the population—I mean the white population—does not amount to one soul per thousand, nor in some parts per ten thousand acres; whilst in the United Kingdom

and in Europe generally, population averages—exclusively of cities and large towns—from one to ten souls per acre; that is, from one thousand to one hundred thousand souls in England or Ireland, to one solitary individual on the River Murray. I am of opinion, however, that even with such limited population; as there are stations on both sides of the Murray, at an average distance apart, of say from 10 to 20 miles—taking the course of the river: or at all events, that there are, according to Ham's map, about 80 or 90 Settlers on the river:—I feel assured, that a steamer of small draft of water, would pay even now: but when the tortuous course of the river is known, no one can suppose it would be navigated, except by a steamer as a trading and carrying river craft. In one instance I have surveyed a bend of the Murray, (or series of bends) of six miles, enclosing for my fortunate employer, a paddock of many thousand acres, (for no enclosed tract of land is too large to be designated "a paddock" in these colonies—) by a fence of a few rods, I was going to say—but I believe in the instance I allude to, there is upwards of one mile of fencing to an enclosure, or horse-shoe, formed by the river, of six miles: but in another instance, on the same river, to my perfect recollection, a fence of an eighth of a mile, or forty rods, encloses a horse-shoe paddock of two or three miles in circumference, at a well-known place called "The Slaughter House," from the circumstance of some hundreds of cattle belonging to Mr. E. B. Greene and Mr. John Clark—the enterprising Squatters and pioneers for others in that fine district, who first ventured to settle amongst the formidable tribe of the Murray—which were *slaughtered* wholesale by the Blacks, on this very spot, six years ago.

When the splendid Plains of the Murray, shall be somewhat more fully occupied, than by one Sheep to ten or twenty—one head of horned Cattle to fifty or a hundred—and one human being to a thousand or ten thousand acres—IRRIGATION may be employed with immense advantage; of which it is almost idle, even to think, in a country so nearly uninhabited, though most admirably adapted by Nature to the noble purpose; of which the accomplished explorer, Count Strzelecki,\* and the talented en-

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\* After speaking of the English Oak being seen flourishing in the bountiful climate of Port Stephen, New South Wales, by the side of the banana, surrounded by vines, lemon and orange trees of luxuriant growth, this intellectual and accurate explorer observes:—"But the greatest work remains to be done: I allude particularly to irrigation."—p. 379. "To restrain the extraordinary fall of rivers, by damming up their courses to make reservoirs, or to restore the old natural basins of lakes in the Upper Country, to bring their waters in their gradual descent to bear on the agricultural land, or to raise them by simple contrivances of windmills, pumps, or by hydraulic belts, to the required level, still remain as means of irrigation to be adopted; the trouble and cost of which, have been much exaggerated, but which have been most extensively accomplished, by people of less energy, less industry, and less capital, than the Australian Settlers possess; subject also to trammels and restraints on the part of their unenlightened rulers, of which the Australian, can scarcely form any idea.—SOUTH AMERICA," p. 446.—Strzelecki's "New South Wales."

gineer, Major Cotton, speak with judgment, based on scientific observation, as well as with patriotic enthusiasm as Australians.\* No part of Tasmania, and probably no other part of the Australian Continent, is so well adapted to irrigation, and to the cultivation of Tobacco, and Sugar, but especially of Rice, and other tropical productions requiring much moisture, as the noble Plains of the Murray.

I may not venture to enlarge on this subject, of great interest to me as a matter of physical science and benefit to Australia Felix—of much greater interest to scores of wealthy and fortunate Settlers, who may easily, if they will, convert their hundreds, into thousands of pounds capital, and vastly improve their Estates and Runs, or rather Principalities at the same time: but I must forbear, or I shall detain you too long, without even adverting to ARTESIAN WELLS, which might in many instances be introduced with as great advantage here, as in any part of the Globe; unless it be in the Great Sandy Desert of Sahara, where they have been successfully employed several years.

There is, however, one topic, though not connected with water or engineering; so closely allied to the subject of our discussion—"the benefits to Squatters, within their own reach, and dependent on themselves"—that I will crave leave just to name it. It would be a great public good, and would be the salvation of many, from utter ruin. I could not witness what I have witnessed, without the immense importance to the grazing interests of Australia, being forcibly impressed on my mind, of a Company or Association on the mutual principle, being established in Port Phillip, in which the Squatter may insure his flocks against Catarrh, and his herds against the epidemic known as Black-leg; which fell diseases, attended by inevitable ruin, no prudence, no skill, no vigilance, can avert. But this is a subject less appropriate to the Citizens of Melbourne, than to the Graziers of the Bush: and if those who are now present, think proper, with their pastoral friends, to do me the honor of discussing the subject in this room, to-morrow afternoon; I venture to believe that they will all feel interested in, and may, I would hope, be benefited by, the results of my suggestion, and of the observations which, in the way of consultation—not dictation—I shall be proud to submit to them.

There is also one point, deeply affecting the interests of this City—I mean the comfort and advantage, even the health of its inhabitants—to which, not my profession alone, but my strong predilections, directed my attention, when resident some months in Melbourne last Spring; just as the want of water, being provided by artificial means easily available, struck me in the Bush: I mean the want of BATHS. This want I have ascertained, may be so easily and so effectually remedied, that I venture to anticipate the support of the Citizens, for a plan to provide them, and also in a separate spot, their wives and daughters, with the great luxury

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\* The enquiring Reader, is referred to an admirable Lecture on Irrigation, by Major Cotton, delivered and published at Hobart Town; and to DELTA's excellent articles, on this immediate subject, in the first two numbers of the recently published "AUSTRALIA FELIX MAGAZINE," ascribed to the gallant Officer.

of comfortable and convenient Baths, upon an economical and charming arrangement: for in this climate, Baths are really *necessary* in Summer; and whilst they are becoming general throughout Europe, and are provided for the poor, even in the cool climate of Britain; they should surely be provided for the wealthy inhabitants of this fair but hot and dusty City—the Metropolis of Australia Felix.\*

That a supply of pure water by pipes throughout the City, is another great *desideratum*, of course could not escape observation: but this, as well as *paving* and *lighting*, and “mending their ways” generally, is peculiarly the province of the Citizens themselves, through their Representatives: whereas, on the contrary, notwithstanding the investigations and Report of the able Commissioners as to the sanitary condition of Melbourne; Baths not being taken up as a matter of necessity and duty, to be provided for the Public by their guardians, the Government or Corporation; it is obvious that they must be provided, or at least originated by the enterprise of individuals, whether by one or two spirited Gentlemen; or by a private or public Company.

So also is the Insurance of Live-stock against loss by any sudden epidemic, to which their flocks and herds are all exposed, the business of the stockholders themselves, and not of the Government—as is the improvement of their Runs with respect to water, as apparent to their sound sense as being the self-interest of each Squatter in general. On these subjects I have, therefore, ventured to iterate my thoughts, the results of the observation which my opportunities have afforded me of making on the physical qualities and capabilities—on the natural advantages, and on the wants or objects most desiderated in Australia Felix, and its capital Melbourne; with the means of taking advantage of the former, to supply the latter—to enjoy and employ the natural advantages, with which this fine Country is blessed, to remedy its single want, water—and to achieve the great *desideratum*, a good supply throughout the Summer, of that great comfort and necessary of life.

I have confined my observations wholly within the scope of their application to and by, Squatters and Colonists, as such; not presuming to point out any of the various means, by which, however, I am perfectly aware, that advantage might be gained by the local Government, both for itself and for its subjects, by the judicious exercise of its undoubted rights and powers, over the almost boundless territory of the Crown Lands of Australia. Considerations of this nature, being strictly political; are less adapted to

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\* Thanks to the kind official encouragement of His Honor the Superintendent, and of the City Corporation, and especially of His Worship the late Mayor, W. M. Bell, Esq., (who generously offered to take half-a-dozen Family Tickets, in aid of so great a public benefit, if further support had been required,) and to the cordial support of his friends and fellow-citizens; the Author is enabled to carry out THIS *desideratum*; and to have launched on this very day (December 15th) the VICTORIA BATHS on the Yarra-Yarra; which but for the lamentable flood of the 4th and 5th instant, would have been in operation a week or two sooner.

this quiet yet social mode of discussion, than to the columns of an independent journal or magazine.

Connected with this view of the subject, there is, however, one point, so important to the Government, to the Citizens of Melbourne, and inhabitants of Geelong, and other Towns, which are springing up in Australia—one, to which I can perceive no indelicacy, or impropriety, in adverting; but from the agitation of which, incalculable good may arise; that I trust no apology can be necessary for directing public attention to *the mode* in which the Towns are laid out—or rather, I should say, to *the circumstance* which has defeated the intentions of the Survey Department, and of the Government, with respect to the formation, and arrangement, of the Streets of Melbourne and Geelong; converting Towns of good design, consisting of broad and handsome streets, and building allotments with large gardens, and back entrances to each—into a crowded Town of dirty lanes, and narrow alleys, without a garden, or space for one, in the whole City, and scarcely the possibility of a back entrance to any dwelling-house; instead of a private road in the rear of each. The fault, and the misfortune to the entire City, and to every soul residing within it, are so palpable as not to be doubted or denied by any one—not even by the spoliators themselves. But whilst all witness, all admit, and all deplore the evil—which is particularly striking to every new-comer;—*is it wise* with the Report of the Sanitary Commission before us, proclaiming, that which is palpable to the sound common sense of each Citizen, viz:—that such crowding of small huts, in dirty alleys, must engender cholera, and all sorts of disease, in such a hot climate as this; and that the only remedy of this evil, and preventive of disease, must be found in opening wide and clean Streets, as far as practicable, and providing good sewerage; *is it*, I venture to ask, *wise*, to look supinely on, at the destruction of the City—at the conversion of a locality designed for a spacious and airy Town, adapted to the climate, into a mass of miserable hovels, and narrow lanes and alleys, as unsafe to the Citizens in general who have occasion to traverse them, as unhealthy and intolerable to the families doomed to reside in such ill-contrived habitations? So true is it, that “what concerns everybody, is attended to by nobody,” that it will be mentally replied by all, “We know this very well—the City is in process of being cut up into alleys, and fractional building allotments, and being ruined before our eyes; but *what, can be done* to prevent it? Each owner of land in the City, has a right “to do what he will, with his own,”—and if a man choose to build a dozen huts, upon a quarter of an acre allotment, and make a narrow road, or even a foot path between them, who can prevent him from doing what he thinks most to his own advantage, how much soever it may be to the detriment of the neighbouring householders, and to the disgrace and disadvantage of the City?” It is not easy to reply to this objection: but, perhaps the best way to do so, may be first to reply to the question, “How may this crying evil be provided against, in the formation of *future* Towns and Cities?” and how might such nuisances, so discreditable to the Metropolis of the fair Province of Victoria, and to the Corporation of the City of Melbourne, and so injurious to the Citizens,

have been averted? To this query I have no hesitation to reply. The allotments as laid out by my former brother Officer, the able representative of the Surveyor-General, in the formation of this City and District, should have been disposed of, and conveyed by the Crown, to the respective purchasers, *subject to one condition*, or reservation, only, viz. :—that “no Messuage or Dwelling-house whatever, should be erected, in other situation, than fronting or abutting on the Street.” This, it was perfectly competent to the local Government to have done; and the result of such happy stipulation, would have been, that Collins-street, Bourke-street, and Flinders-street; Elizabeth-street, Queen-street, and Russell-street, &c, would have retained handsome large gardens to each house, with the convenience of a back entrance: whilst the minor streets or lanes, would be little used as public thoroughfares, as there would be no buildings in them, except stables, or sheds, belonging to the houses in front, or perhaps, an occasional Warehouse, smith’s forge, or other out-building—but *not* any dwelling-house. It is now too late to remedy the mischief easily, or very quickly; but having respect to the rights of the next generation, and of all posterity, as well as a just consideration for present proprietors; I cannot but think, that our Citizen Member of Council, would render a service to this Metropolis, which would entitle him to public thanks, to the blessings of posterity, and to a statue in the centre of some square, hereafter to be formed, as formerly designed; if he were to initiate a Bill in the Legislative Council, to the effect, that no dwelling-house shall be erected in any one of the narrow streets, nor shall those now existing be replaced as they give way, in their *not very* solid masonry, under the hand of old Father Time: and especially to provide, that *in the extension of the Town*, now, in fact, taking place, *no dwelling-house shall be erected except with frontage to the main street.* This, would stop the evil from progressing more extensively, than it has already done; and in about twenty, or five-and-twenty years, the evil already created, would be gradually abated, until entirely removed. But in the laying out of new Towns, and Cities too, in Australia—which will doubtless take place, much within that period, in various localities of this immense territory—as well as with respect to the extension of both Melbourne and Geelong, at this moment progressing; nothing can be more important, than the introduction and peremptory observance of such condition, in the future alienation of Town Allotments. There can be nothing arbitrary, or unfair, in it. Each town proprietor, would be bound by a certain condition, for the benefit of all. Of course, compensation would be awarded by arbitrators, to parties injuriously affected.\*

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\* If, as is to be feared, from the great improvements now rapidly progressing in the “Little” Streets of the City; it should be utterly impracticable to act as proposed in the text, with respect to the intended Lanes, now minor but tolerably well-filled Streets—it is so much the more necessary, that the suggestion should be acted upon in Geelong, and in future Towns from their very origin; and in Melbourne, so far as to prevent the formation of more narrow filthy alleys, more hotbeds of disease; by providing for the good of all, against the construction by any, of further Lanes, or rows of buildings, on allotments between the principal and secondary—the “Great” and “Little” Streets.

No one who ever gave the subject a moment's thought, can be surprised at what has taken place, *wholly and solely* for want of such provisions being stipulated by the Government. It is precisely that, which I for one, not only expected but foretold: for, I remember on first seeing this sketch of the intended Town of Melbourne, published in 1836, I confidently predicted what has now taken place—that the purchaser of each allotment finding he had two frontages, would build very generally, a house at each end; and as these allotments would be sure to be divided by the purchasers; and at first, those fronting the lanes, would be most easily purchased, *they* would in general be first built on, and the narrow streets become the greatest thoroughfares. Such was the case at Adelaide—and thus Hindley and Rundle, though somewhat narrow, and intended by Colonel Light to be secondary Streets, were those first formed, and which became and continue, the most business Streets in that now thriving City, of the same age as this.

There is, doubtless, a multitude of matters in a new Country and new City, with respect to which, by the exercise of policy and foresight by the Government, and judgment and enterprise by individuals possessed of intelligence and capital—rapid strides may be made in furtherance of our favourite motto, “Advance Australia,” by which I conceive is to be understood, not merely the extension of location—the increase of the Towns in area, and the improvement of the public buildings and dwelling-houses in size and in quality; but more especially the *increased comfort and convenience of the inhabitants*—the advancement of the Colonists in civilization as a community, by the amelioration of their habits, whether in town or country, consequent on an increasing regard to the decencies and proprieties of civilized life, as understood in our Fatherland, carefully observed by our parents, and scrupulously practised and required by our sisters and fair friends in Britain's much-loved Isles. To some few of these modes of “advancement,” I have, however imperfectly, attempted to direct your attention, by suggestions, as to cheap and efficacious remedies of the great evil of the Interior—want of Water:—by the Mutual Assurance of Live-stock:—and by a proposal to enable the Citizens of Melbourne to advance in health and comfort, by the establishment of Public Baths here; which very object I had the pleasure to effect last year in Hobart Town, to the great enjoyment of the Citizens of Tasmania's Metropolis. Amongst the many more much-needed improvements in the City and Province of Victoria, it may appear supererogatory even to enumerate the modes of *mending our ways*, by the construction, instead of destruction of streets and roads; and the introduction of vehicles of public convenience: by and by, improved communication by rail or canal; water and gas-light for this City, but especially *sewerage*: these, however, are principally matters for the consideration of the Government or of the Corporation, to whom I venture respectfully to throw out as a hint, that might be adopted with immense advantage to the worthy Citizens whom they represent—that it is the good fortune of the Vandemonians, to have an Engineer as their Governor, who, by directing attention to the *Footpaths* to be made an object of primary consideration, has, by causing them to levelled and covered with

asphalte, improved the comfort and general appearance of Hobart Town 50 per cent. during the last two years of His Excellency's Government. But I may observe, that a great majority of the large and handsome shops, are flagged by their owners, as is the case here, in front of Mr. Campbell's and Mr. Williamson's, in Collins Street—noble examples to the Citizens—*most worthy of emulation* in the soft wet streets of this City.

But these, are all objects of a physical or material character; in passing from which matter-of-fact considerations, I am sure that by my intellectual and fair auditors, I will be indulged in a few remarks, before concluding this desultory Paper, on the other and more important means of promoting the "Advancement of Australia"—I mean the *cultivation* of the *mental faculties*—the *moral and intellectual qualities* of the Colonists and Citizens generally, of whom society is constituted. Of these means—of these delightful appliances to the humanizing influence of civilization, and refinement of life and of manners—secondary only to the Pulpits of Christian Ministers, are the advantages and ameliorating influences of Literary Associations of the nature of that, in connexion with which, we are now assembled, originated in Britain, as I well remember, some twenty-five, or thirty years ago, by the amiable Birkbeck, from America, who had taken up, and enlarged upon the idea of his estimable countryman, and predecessor, the great Dr. Benjamin Franklin. I am not here to advocate the introduction of a Library, a Museum, a Music Hall, and a Lecture Room, in Melbourne. These, are already established; but though a new-comer, being neither a new Colonist, nor a young man—being as an Australian, as warmly attached to my adopted Country, as the talented, the enthusiastic, the enterprising, the patriotic, the successful benefactor of Australia, Dr. Lang himself—the Anglo-Australian Patriot—the Christian and Philanthropist; as the father of an Australian family, and as—however humble my pretensions—an ardent admirer of the Muses; I will, on this first occasion of addressing a Melbourne audience, hazard the expression of those sentiments, which I am proud to avow, as predominant in my mind and soul; and which, to the very limited extent of any influence it may be permitted me to exert over others, in this, or in any other community, I feel it to be a pleasing duty to inculcate, especially on the young, towards whom it is impossible for any parent whose heart is in the right place—whose nature is not altogether corrupted and debased, to avoid feeling an affectionate interest.

Despising the *cant* so prevalent in the present day; I am as a thinking Christian, equally opposed to the opposite extreme of illiberality in judging of others—of assuming that every attempt made, or desire expressed, to benefit one's Country or Species, is mere hypocrisy, and cannot emanate ("in these degenerate times," as some folks delight to designate the present,) from the pure principles of patriotism, or philanthropy. In your judgment, be charitable and liberal, or you cannot be just. Judge of a tree by its fruit: of a man by his doings: of a composition on its merits.

All men are the creatures of circumstance: I am the creature

which Providence has permitted circumstances to make me: and how little-soever the circumstances of my life may, in a worldly sense, afford me cause of exultation; yet do I most unfeignedly bless God, that they are, and from my earliest days have been such, as under His good Providence, to have rendered it, in some degree at least, the study of my life, as from my youth it has been the prayer not of my lips only, but of my heart, that "He would graciously direct my mind and judgment aright, and enable me to employ all the means, talents, and opportunities, with which I am blessed, in doing good, and in achieving or promoting the utmost possible degree of human happiness, that they are capable of producing, and in support of the interests of true Religion and Virtue."

This I hope, without subjecting myself to the imputation of sanctimoniousness—which I abhor—I may be permitted to say it is, according to my conviction, the duty of all Parents to instil into the minds of their children, as a habit to be commenced with the first dawn of reason, and to be persevered in, to the last breath of life, so as to be established if possible, as *the ruling passion* in each. When this shall be done universally; when each and all of the human family aim simultaneously and constantly throughout their lives, to promote the happiness of all, and especially of each fellow-creature within their influence respectively—then, will the state of society be ameliorated. When envy, hatred, malice, and all uncharitableness, yield to fraternal interest and affection—when selfishness yields to love and charity and true benevolence—when intolerance shall yield to liberal-mindedness; and superstition and infidelity become alike unknown;—then, will society be indeed improved, by the amelioration of the character and conduct of its members generally, and each by the improvement of his own heart;—by the subjection of the malevolent passions, and by the development of the benevolent affections; by the peace of mind resulting from a conscience void of offence; and by the delightful assurance of enjoying the favour of GOD and Man—arising from the consciousness of having been useful in our generation, and to the extent of our ability, having added to the amount of human happiness, and promoted the welfare of immortal souls; not only by contributing to administer comfort to the broken-hearted—to bind up the wounds, and alleviate the sorrows of our afflicted brethren, and to rescue the vicious and depraved from temporal, and (may we not be permitted to hope?) from eternal ruin; but by having *habitually* exerted ourselves, to raise the falling—to encourage the young—to support the weak—to congratulate the strong—to sympathise with all; and to promote industry and prosperity, virtue and happiness, within the sphere of our action—practising urbanity and hospitality, as well as almsgiving; beneficence and friendship, as well as integrity and honor: by the habitual exercise of which qualities, and by the observance of those numberless and indescribable acts of kindness and of gratification, which all have more or less in their power to bestow upon others, in their intercourse with the World: in a word, by *omitting no opportunity of doing good, or of conferring happiness or pleasure*, whether in a great matter, or in a small one—which amiable practices, will flow spontaneously from a benevolent heart and well-regulated mind, deeply impressed

with gratitude to Heaven for its mercies and blessings, as numberless as undeserved; and which Godlike habit, carries with it its own reward, viz. :—

A heart of joy—enriched by what it pays —  
That builds its glory, on its Maker's praise.

But to sum up this expression of my sentiments, or ethics, in the spirit of which, these observations have been offered, and will I trust be received; in the powerful language of one of the most brilliant of living authors, Bulwer—which from the pen of a Novelist, is worthy of that of any Philosopher, or Divine :—“ The more a Moralist binds man to man, and forbids us to divorce our interest from our kind; the more effectually is the end of morality attained. They only, are justifiable in seclusion, who like the Greek Philosophers, make that very seclusion the means of serving and enlightening their race—who from their retreats send forth their oracles of wisdom, and make the desert which surrounds them, eloquent with the voice of truth. But remember, that for him, who in nowise cultivates his talent for the benefit of others; who is content to be a good hermit, at the expense of being a bad citizen; who looks from his retreat, upon a life wasted in the *difficiles nugæ* of the frivolous part of the World; nor redeems in closet, the time he has mis-spent in the saloon;—remember, that for him, seclusion loses its dignity, philosophy its comfort, benevolence its hope, and even religion its balm. Knowledge unemployed, may preserve us from vice—for vice is but another name for ignorance: but *knowledge employed, is virtue*. Perfect happiness in our present state, is impossible—for *Hobbes* says justly, that our nature is inseparable from desires, and that the very word ‘ desire ’—the longing after something not possessed—implies that our present felicity, is not complete. But there is *one* way, of attaining what we may term, if not utter, at least mortal happiness; it is this—*a sincere and unrelaxing activity for the happiness of others*. In that one maxim is concentrated, whatever is noble in morality, sublime in religion, or unanswerable in truth. In *that* pursuit, we have all scope for whatever is excellent in our hearts; and *none* for the petty passions, which our nature is heir to. Thus engaged—whatever be our errors, there will be nobility, not weakness in our remorse; whatever our failure, virtue, not selfishness in our regret; and in success, vanity itself will become holy, and triumph eternal.”

Having—which it is quite natural that I should do, in adverting to the physical improvements of Australia, and the mental advancement of the Colonists—made allusion to that truly great and good man, who has devoted the powerful energies of his active mind—his health, his life, his fortune, and his heart, to the service of his Countrymen in general (chiefly in North Britain,) and to his Australian fellow-colonists in particular :—I will, with permission, conclude my humble address to you, with a eulogium on the Reverend Dr. Lang; which, as I know it to have been well merited, when elicited from the poetical Editor of the ‘ Sydney Times,’ twelve years ago; how much are the Doctor’s claims to our admiration and gratitude strengthened and increased, *now* that in addition to free Mechanics, Ministers, Schoolmasters, a College—all on his respon-

sibility, and much at his own expense; with untiring devotion, by literary labours and active and persevering endeavours to benefit his adopted Country: we are now further indebted to the late Member for Port Phillip, for vines and vine-dressers, of his own procuring—for spirited immigration induced by his powerful pleading by lectures, and by his talented pen; and for personal services he is at this time rendering to Australia, which will assuredly result in making this a Cotton, as well as Wool-growing Country, and probably in giving birth to the much-wanted new Penal Settlement towards the North of the Continent; to the relief and great benefit of all the Australian Colonies—including Van Diemen's Land—and of the Mother Country.\*

*Palmam qui meruit ferat.*

Shall private Virtue—Patriotic zeal,  
 A mind, o'er most, immeasurably great;—  
 Shall He, whose lash, made hardened sinners feel;  
 Whose sterling writings, are of sterling weight;—  
 Shall He, whose worth and talents all admire,  
 Whose noble aim—(to which GOD grant success!)  
 Has been, the love of Virtue to inspire,  
 His GOD to honor, and Mankind to bless:—  
 Shall He, whose usefulness so far transcends  
 His fellows—whose example is so bright;—  
 Shall He, the best of all AUSTRALIA's Friends,  
 And who to serve her, has withdrawn his light  
 To circumnavigate the Globe again:—  
 Shall He depart, and FAME withhold a strain?

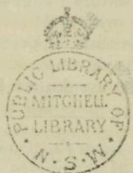
It cannot be! Let worthless rivals growl;  
 Let venal Publishers, and drunken Priests;—  
 Let sots and libertines, snarl, writhe, and scowl  
 At all who honor Virtue; and as beasts  
 Despise and reprobate the base, though rich;  
 The Public Voice, must still uphold the just:—  
 THE PUBLIC VOICE—the power alone, to which  
 All must submit—will raise HIS honored Bust.  
 Men of superior Virtue and of Mind  
 Have—as recorded on our History's page—  
 Provoked the envy of the low, who find  
 Themselves disgraced. 'Tis thus, in every age  
 By persecution, EXCELLENCE is shewn.  
 To after-ages, GREAT MEN best are known!

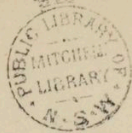
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\* The last but not least, of the good Doctor's benefits to the British Empire, and to his fellow subjects in both Hemispheres, seems to be, a means adopted through his judicious and benevolent intervention, by which persons of respectability in narrow circumstances, are enabled to avail themselves of the advantages intended by the Government for paupers only, of a free passage to Australia—or of a passage at an exceedingly reduced rate, with a portion of land in the Colony of Victoria, New South Wales, or Cooksland, i.e., Moreton Bay. See Dr. Lang's Letter, dated Lerwick, Shetland Islands, July 30, 1849, transcribed from the 'British Banner,' into most of the Melbourne Journals of this present month, Dec. 1849.

WHO's the real Patriot? WHO has done the most  
 To serve AUSTRALIA, and exalt her name?  
 WHO, in the cause of Virtue, is a host  
 Himself, of strength and power to reclaim  
 The outcast children of a virtuous soil,  
 And men as base, who made this Land their choice?  
 WHO is it, stimulates to wealth, by toil?  
 WHO, is the mouth-piece of each good man's voice?  
 WHO, has by precept and example, taught  
 The saving-doctrines of the CHRISTIAN'S creed?  
 WHOSE philanthropic mind, is ever fraught  
 To serve Mankind, by every word and deed?  
 WHO, has improved our Morals, and our Town?  
 OURS, is the gain; HIS, be the great Renown!

When all the paltry jealousies which fill  
 The heart with venom, and the tongue with gall,  
 Which in black ranc'rous stains, that gall distil  
 Through the foul Press of Monitorial ALL;—  
 When all the pigmies of the present race,  
 In dark oblivion shall soundly sleep,  
 Or shall be known, but by their deep disgrace;  
 Then, shall AUSTRALIA'S SONS, with justice, weep  
 Her Friend no more! Her Senators shall point  
 To the Scholastic Hall which bears his name;  
 A fane which shall his memory anoint;  
 And less by stones than Statesmen, keep his Fame!  
 Let ingrates yell! each wise and good man, says,  
 LANG is deserving of IMMORTAL PRAISE!





## POSTSCRIPT.

June 1, 1850.

The Author's remarks on the necessity of constructing large Tanks, and Reservoirs, throughout the extensive grazing districts in the interior of Australia; and on the facilities afforded by Nature for so doing, p. p. 84, 85; which were penned in reference principally to the Kinlochue, Kilmore, Campaspie, and Murray River Districts; are strongly confirmed by subsequent observation, in a recent tour to the Westward, as far as the Pyrenees and magnificent Mountains called the Grampians; and those suggestions are found to be entirely applicable to that splendid portion of Australia Felix, known in Melbourne as the "Western Country;" and it is believed to every Province in Australia—except as respects "*Flood-gates*," which are, of course, applicable only to the detention in creeks, of water which has flown into them, from out of *the Murray*, in times of flood.

The confident reliance on the Government speedily issuing Leases of the "Runs" in their licensed occupation, is visibly influencing the Squatters in erecting substantial dwellings in all parts of Australia; and amongst other expensive and permanent improvements, in throwing *dams* across gullies, and forming "Reservoirs," which, as the Stations become well stocked, are found to be so valuable, so important, and so indispensably necessary, that in few years the laudable practice, must and will become general,—to the incalculable benefit of the Colony—of bipeds and quadrupeds.

The hints with respect to "Towns"—to provide for the indestructible comfort, and permanent advantage of the Inhabitants of future Towns; and to prevent the extension of the evils, and in some measure to remedy those which have been so unwisely permitted to spring up and extend in Melbourne and Geelong, also in Sydney and Adelaide—(p. 93.) have received such unqualified approval from experienced Colonists and practical men, and are so warmly commended by various Members of the Legislative Council; as to induce the hope, that when the Melbourne Building Act is brought under revision, the attention of the Legislature may be directed to the Author's suggestion, with advantage to Australia.

But if in minor respects, the observations and suggestions of the Author are strengthened and confirmed by the experience of the last few months, since the issue of this *brochure* last Christmas; with what lamentable force of truth are not his arguments borne out, on the main subject of this Publication—"Sheep and Cattle Insurance"—by the evidence of the Western Country—by the recent ravages of Catarrh at Station Peak and at the Grampians; in which District, whose boast it was that "Catarrh was unknown,—*had not even been heard of in that Country*"—whole flocks of sheep have been boiled down, and others burnt off, within the last few weeks—skins wool and all—as the only, but effectual means of preventing the fell disease, which is *contagious, infectious, and hereditary*, as well as *epidemic*, from extending over, and devastating, the entire Colony.

Without presuming to assert, or even permitting himself to believe that the plan of Mutual Insurance suggested in this Pamphlet, is the best of all possible means, of averting the calamity from the Flock-master, and of stopping the ravages of the malady most alarming and destructive in these Colonies, and from which visitation it is unfortunately in proof that no part of Australia is exempt; the Author is but too soon and too fully confirmed by experience, in the soundness of his theory generally, (p. p. 9 and 25) by the deplorable evidence of the present time—by the Reports with which the Newspaper Press teems, of meetings of the terrified Flock-masters all over the Colony—at the Fiery Creek and the Pyrenees, at Melbourne and Geelong, to raise subscriptions for buying up and destroying the catarrhed flocks, (as has been done in the instances of Mr. Synnot and Mr. M'Gill) and to devise some protection of sheep owners, from sudden

and inevitable ruin. On this subject, the Editors of the Colonial Press, and their able correspondents *Puto*, *Horace Wills*, &c., have brought the subject before the public in all its bearings; and especially the Catarrh Committee, by Reports of their proceedings. The Author is of opinion with *Puto*, that a Legislative enactment, rendering a small contribution from each Flock-master in the Colony, *pro rata*, compulsory on all; from which fund, any Flock-master, whose flocks may be infected with catarrh, shall be paid for the diseased sheep two-thirds or three-fourths of their fair value, estimated before the appearance of disease, (the flocks being *immediately* boiled down)—will be a blessing to Australia, and the best means of effecting the salvation of the Squatters as a body; but as he also knows full well, the strong feeling of Colonists against *Taxation* in any shape; and that a direct interference with their property—though for the undoubted good of the whole, as a body—will be, and is received in general by each, (except those infected or apprehensive of infection in their flocks)—as an offensive and inquisitorial if not unwarrantable infringement of his right as a British Subject “to do what he will with his own,” and to exercise an *unrestricted* ownership over his private property; his opinion is but confirmed, that a general “Mutual Insurance Company,” as developed in his Minute, p. 34, would perfectly meet the requirements of Flock-masters and Graziers,\* under every emergency; and that, under the influence of judgment, prudence, and expediency, the Assurance once established, would soon become universal, and be found efficient in practice.

But *local* Societies, are *radically wrong* in principle; as must be obvious, on the very slightest reflection. If eight or ten *neighbouring Squatters* agree to insure each other, whether at the Goulburn or the Grampians, at Gipps Land or Portland Bay; and the catarrh happen to break out, and carry off all the flocks, in *either* of those districts—if all ten of the mutual insurers be ruined, *how* are they to pay each other? But *if all four* of these widely separated localities, and *hundreds more*, mutually insure each other—in that case, if any one district should be affected, all the other districts would make good the loss of the one. It must, therefore, be self-evident, that “the more widely the Insurers are dispersed over Australia, the greater will be the security to each, afforded by all.”

In reply to the enquiry which has been made by many of his acquaintances, “*what number* of his supporters, and approving readers to whom he addressed this Publication, have responded to the intimation delicately hinted in the advertisement prefixed to the Title page?” the Author is enabled to state, that out of 250 Gentlemen, to whom copies were issued in January, *three* have been so considerate as to return the publisher's price, *viz.*, Messrs. Balbirnie, Robert Smith, and Duggan; and one Gentleman—though *not* a Member of the Committee of Originators, p. 33, under whose auspices the Author acted as Honorary Secretary—John Duerdin, Esq., returned the polite and handsome enclosure of a Bank Note, “towards the Author's printing and other incidental expenses.” The Author does not, therefore, consider himself much above £100 out of pocket, besides loss of time, and serious consequences indirectly arising out of his effort, last year, to form an Institution, which is now *proved* by fatal experience, and admitted on all hands, “to have been deserving of support,” as it would already have afforded salvation to Squatters, at the Devil's River, at Station Peak, and at the Grampians, and in some other places; and, in one shape or other, is now about to be carried into effect, as *indispensable to the security of Flock-masters*, (and Merchants!) and to the welfare of the Colony.

Without being so weak as to expect remuneration for his time, or to hope for reward of his humble, but not unuseful services, in first directing public attention to this important subject in a practical manner; the

\*A new, alarming, and fatal complaint, amongst *Cattle*, is said to be now raging at Gundagai.

Author does feel compelled, unequivocally, to ask of the wealthy and liberal Flock-masters and Graziers of Australia—the parties interested in, and whom he sought (but was not permitted) to benefit by, his exertions directed to the formation of a “Sheep and Cattle Insurance”—is it honourable, or just, that, besides the sacrifice of his time and humble talents in the service of his adopted country (which, if attended with a beneficial result to Australia, he will not regret) and the calumny, persecution and disaster, he has thereby brought on himself, by exciting the enmity of his yet to be punished ancient and malignant enemy; the Author should, *also*, be permitted to bear the heavy expenses incidental to his efforts as the Secretary to a Committee of 42 Gentlemen; or is it not more reasonable, that the expense should be divided amongst many hundreds of Squatters and Merchants, whom he sought to benefit—than that they should fall on the individual alone, who has devoted his time and energies to their service? that the originator should be reimbursed by the said Committee under whom he acted, and by the owners of six or twelve millions of sheep, and one or two millions of cattle, interested, as is now admitted, in his effort to form an “Insurance Company;” which the *Melbourne Herald*, like a moral *upas*, was by the proverbial “apathy” of the Colonists permitted to defeat, and at the same time to insult, to injure, and to destroy its Originator—a Colonist not without strong claims to their support?

The Author feels certain, that these queries will be—*mentally* at least—replied to, by scores of Gentlemen of his acquaintance—“*Of course* the expense should be borne by the Public, and *not* by the Honorary Secretary to the Originators of the movement;—*by the many*, amongst whom it will be nothing—and *not by an individual* to whom it must be a serious matter, and who has already given his time and services for months;” but, unfortunately, “what is everybody’s business, is nobody’s;” and *not one* of the Gentlemen who professed an interest in the object when it was started this time last year (but suffered it to drop, and permitted it and its originator to be defeated by a Newspaper faction) having apparently given the subject a thought since; the Author cannot be charged with having *prematurely*, nor, *he believes, without occasion*, invited public attention to the subject now; but under the existence of the circumstances revealed in the Appendix, it would be affectation to conceal, that a ruined Colonist, would thankfully accept of reimbursement of the expenses which he has incurred in their service, from *such* of the Committee of Originators and other *Colonists—and such only*—as are liberal and opulent, just and kind.

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The Author having been accused of being the panegyrist of the Rev. Dr. Lang; and pleading entirely guilty of the heinous crimes of admiring so great and good a man—so indefatigable energetic and useful a Colonist, and of daring to iterate, however feebly, in prose and verse, in the last few pages of this volume, his sentiments of sincere and disinterested admiration of the noble qualities of that intrepid and untiring Patriot; and that Reverend Gentleman being, at the present time, under the ban of an ungrateful Colony—under a hot fire of literary missiles, from the combined forces of three-fourths of the Melbourne Press, in addition to the more powerful daily fire of the *Sydney Herald*—being denounced in unmeasured terms of high crimes and misdemeanors; the Author avails himself of the opportunity of briefly reverting to this subject.

Having attentively considered Dr. Lang’s proceedings in his last, as in his several former voyages to Europe—having weighed the various charges brought against him by or on behalf of Mr. Wilkinson and other Immigrants; and the Doctor’s Explanation in the *Argus* of the 14th ult., the Author is happy in the conviction, that he has no reason whatever to alter the opinion which he has entertained of the Rev. Dr. Lang during twenty years of acquaintance, and of observation of his incessant and successful exertions as an Australian Colonist to benefit Australia first; secondly, his beloved Native Scotland; and, thirdly, South Britain and all other Countries. Dr. Lang is so well able to defend himself, and to castigate his malevolent and unscrupulous calumniators, that the Author would not presume to become his apologist or advocate, but for the duty which he owes to himself of preventing misapprehension of his (the Author’s) sentiments, rendering desirable the following brief explanation:—

Doctor Lang’s thorough independence of principle, and perfect heedlessness of consequences in the manly expression of his political opinions, together with the natural envy of rivals painfully conscious of their own inferiority, have raised up a host of enemies, by whom the Doctor has been beset, almost from the commencement of his long career of honorable usefulness, as a Colonist, as a Presbyterian Clergyman, as an Author and Editor, as a Legislator, and principally, perhaps, as a most active voluntary Agent, for promoting Emigration from Britain to Eastern Australia, for the benefit of both Countries. But the active mind of Dr. Lang can be satisfied with no half-measures; and since by circumstances he has become a leading Political character in Australia, his sense of the injustice done to the Colony by its Imperial Rulers at

the antipodes, has led to the adoption of ultra-radical notions, and Republican sentiments. These, which, whilst admitting the Doctor's right to cherish, the Author most unequivocally dissents from *in toto*—these opinions, have, as might be expected, brought down upon Dr. Lang the displeasure and enmity of the Colonial Office in Downing-street, and with the same, official opposition to measures, which from the Patriotism, Philanthropy, and disinterested benevolence with which they were undertaken, were entitled to the cordial support of the Home and of the Colonial Governments—of the British and of the Australian Public; and should have obtained for the Doctor present support, as they will not fail to acquire for his name posthumous veneration and undying fame. With ten thousand good qualities, the Doctor, *being mortal*, happens to be not infallible; and with all the ability, zeal and energy of mind and body to qualify him for the arduous duties he had voluntarily taken upon himself, solely with a view to benefit his native and his adopted Country—the Reverend Doctor is not exactly a man-of-business, in a commercial point of view; but is a better diplomatist than financier; and failing of that support from the Government, (and, *as yet*, it would appear from the Colonists, notwithstanding the grateful homage paid to him on his return to Melbourne in March, and the generous intentions of the Port Phillipians iterated at or previous to the Public Dinner), which he had reasonably calculated upon; and, at the same time, being thwarted in his contemplated arrangements by Imperial opposition, rancorously responded to in the Colony; it must be to every thinking person, matter less of surprise than regret, that the Doctor should have been disabled from meeting Mr. Wilkinson's claim of £700 advanced in England, on demand at Port Phillip, which in law and in fact, that Gentleman had an undoubted right to demand and obtain, even by coercive measures if necessary. But *wherefore* should this or any other such unpleasant circumstance, be imputed to the Doctor as fraud, except to gratify the malice of his scurrilous enemies with that powerful engine, the Press, at their command? Does Mr. Wilkinson himself, or can any person of candor believe Doctor Lang to have benefitted himself one farthing by this money having passed through his hands—or doubt its having, though unintentionally, gone towards defraying the charges of the judicious and benevolent Emigration Scheme, by which this Colony is already benefiting by thousands—not thousands of pounds only, as it is; but *thousands of Colonists*, by the comfort and advantage of virtuous, useful and industrious servants, which the Doctor has sent out to them from Britain and from Germany; and *thousands of respectable Immigrants* of every rank and grade of Protestant Christians, who have reason to bless the name of Dr. Lang, for having directly or indirectly been the cause and the means of their transport, from cold and penury in the Northern, to comfort, plenty and the prospect of independence, in the Southern Hemisphere? The fact is, such is the malevolence and base ingratitude of mankind, (though happily not without noble exceptions, which alone deter generous and experienced persons, from misanthropy)—that none but a rich man can afford to be a Patriot, a Philanthropist, or an actively useful Public Man, especially in these Colonies; for it has been truly observed, that an Archangel would fail to please the factious Colonists of Australia—and especially of Tasmania—(Sir Eardly Wilmot to wit)—nor escape the vituperation of a scurrilous Press, unless on landing at Sydney or Melbourne—or Hobart Town, to bless the Inhabitants, he should display invoices of a large freight from California direct, of gold! gold!! gold!!! If, however, *Happiness* be the object of all human pursuit, and Sir Edward Lytton Bulwer be correct in his beautiful definition, (p. 98.) as to the state in which that quality consists—viz., “*a sincere and unrelaxing activity for the happiness of others*”—the possession of that inestimable Jewel, may and must be ascribed, if to any person in this Hemisphere, to the Reverend Doctor Lang, with congratulation by his friends; with applause by the wise and good, by the generous and humane, by the grateful and philanthropic, capable of appreciating the untiring exertions of Christian and Patriotic zeal; and with rage and gall, vexation and *envy* by his implacable and contemned enemies.

Surely the *Herald* must have had the Rev. Dr. Lang in his mind's-eye, when he transcribed into his Journal of the 7th August, 1849, from some Christian Poet, the following appropriate lines, on

#### THE SIN OF POVERTY.

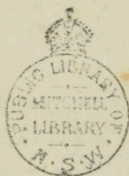
Although on Sinai's tables,  
Ungraven and unknown—  
Although God's holy word had claimed  
Its children as His own—  
Yet 'mid the World's offenders,  
The most abhorred is he  
Who bears its brand upon his brow—  
The Sin of Poverty!

What, though his heart be teeming  
With Truth and Love untold?  
What, though his mind has riches wrought  
Beyond a miser's gold?  
What, though his soul be stainless—  
His life, all life should be?  
Still walks he with that leper stain—  
The Sin of Poverty!

Perchance in days now vanished  
His lot was proud and high—  
Perchance his hand dried many a tear,  
His voice saved many a sigh—  
Perchance friends flocked around him  
To join his festive glee—  
Where are they now? Alas! how vile  
The Sin of Poverty!

It was—it is—it shall be—  
Man spurns thus God's behest—  
For Mammon is the master here—  
The rich alone are blest;\*  
Yet riches past the telling,  
Will Heaven one day decree,  
To all that here, unmurmuring bear,  
The Sin of Poverty!

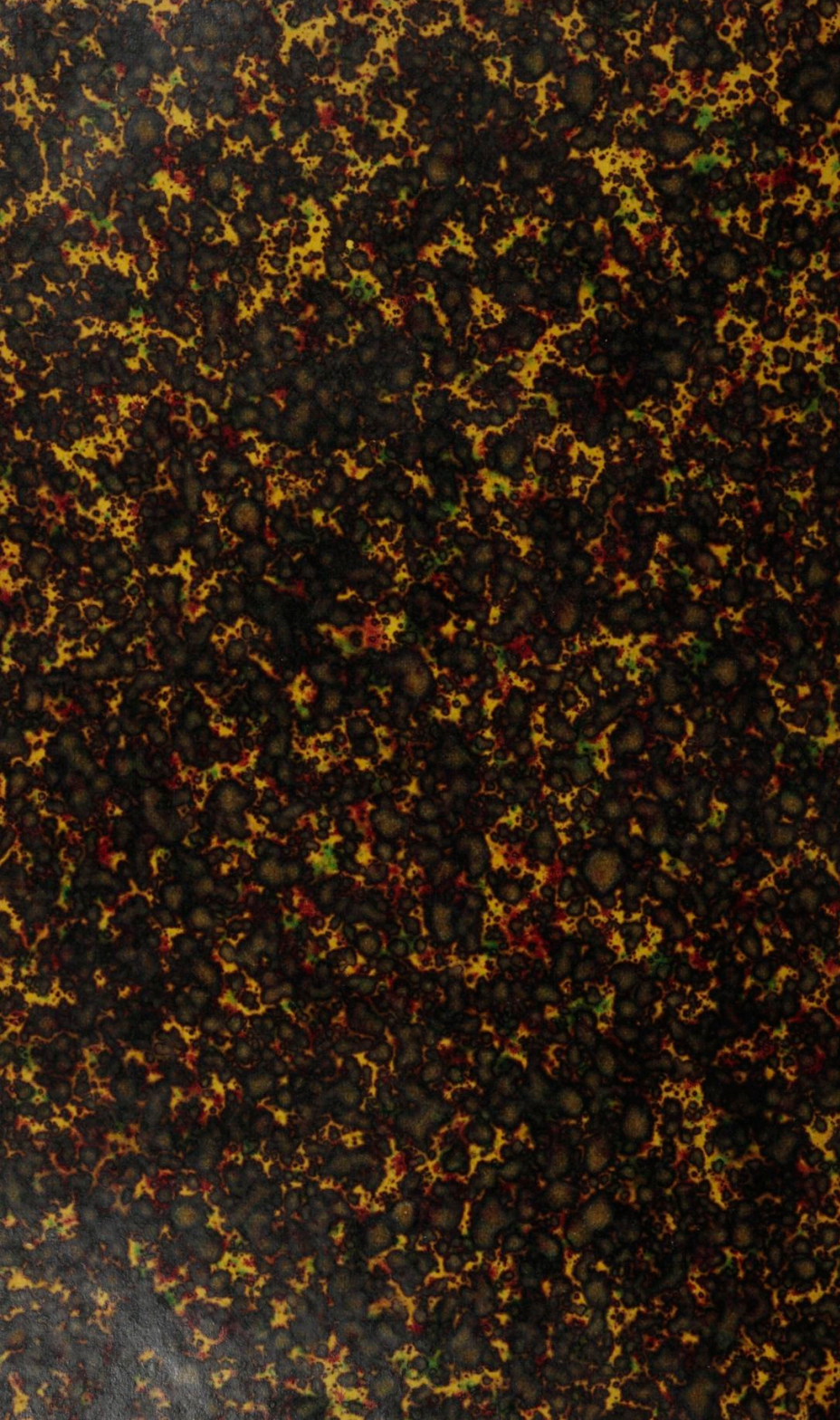
\* “Blessed are the poor.” Mat. 5.—3.











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