

## APPENDIX 4

You are standing at a significant site for the Yalukit Willam Clan of the Boonwurrung language group, the First Peoples of Hobson's Bay.

An old She-oak Tree stood here long before British colonisation and was removed in 1857. Around this tree early colonists saw the Yalukit willam, led by N'Arweet Boollutt (also called "King Benbow")<sup>1</sup>, as they conducted ceremonies and counsels here<sup>2</sup>. This makes this a special place for Boonwurrung people still today.

She-oak are sacred trees to the Boonwurrung. They are associated with the power of Boonwurrung men and it is remembered that when early colonists cut down She-oak Trees Boonwurrung men would feel unhealthy.<sup>3</sup>

The ancient name for this area is Koort Boork Boork, meaning 'clumps of many she-oaks'<sup>4</sup>. A name indicating the importance of She-oak Trees to Boonwurrung here.

In 1837 this place was re-named William's Town by British colonist to honour their King.<sup>5</sup> British invasion<sup>6</sup> of the Boonwurrung Estate was a catastrophic event that caused the rapid decline of Boonwurrung people<sup>7</sup>. West of the Maribyrnong River Boonwurrung women farmed a small sweet potato called *Murnong* on the grassy basalt plains, a very important staple food<sup>8</sup>. Colonists landed thousands of sheep only metres from here<sup>9</sup> and herded them west onto the Boonwurrung's *Murnong* fields. The sheep soon ate the *Murnong* crop<sup>10</sup> and quickly sent the Boonwurrung toward starvation, malnutrition and disease<sup>11</sup>.

Stealthily spearing British sheep or taking rice, flour or oats from colonists to replace disappearing *Murnong* wild game, inevitably led to violent conflicts and the death of Boonwurrung people across their Estates<sup>12 13</sup>. Clashes with other First Peoples, facing similar pressures from colonisation, also led to Boonwurrung deaths.<sup>14</sup>

Nearly all our First Peoples died under British rule. Here only one resilient family survived to represent the Boonwurrung language group, share the history and continue cultural practices today<sup>15</sup>.

(300 words)

Title: The Boonwurrung People and the Ancient Sheoak

**Panel No 1.**

## APPENDIX 4

British colonisation began here in 1835 when two private companies from Tasmania invaded the Estates of our First Peoples the Yalukit Willam Clan of the Boonwurrung language group. The Estates of other language groups on either side of the Werribee River were also invaded<sup>16</sup>.

Williamstown became the deep-water anchorage for British ships and gave rise to a 'tiny village' that sat alone on the edge of a vast grassy plain to the west. The main British settlement was established near plentiful freshwater on the banks of the Yarra River (now called Central Melbourne).

In the first years of the colony, Melbourne newspapers arrived far too late in Williamstown to be useful, so the townsfolk used the old She-oak tree that once stood here as their 'Message Tree'. News, advertising and public opinions were written on placards and nailed to the tree. Whether seeking a servant or some lost item; selling a horse; needing a job done; reporting an accident or a theft; sharing a new idea or expressing an opinion; the message would go up on the old tree<sup>17</sup>.

Prior to its removal in 1857, the 'Ancient She-oak' had become a town meeting place where a seat had been built around its trunk. Early colonists understood the importance of the tree to the Boonwurrung who still used it. A local poet and teacher between 1847 and 1863, James Wallace, recited poems under its branches and wrote that "*The earliest tradition regarding the Old Tree is to the effect that long before this country was colonised it was held in almost religious veneration by the aboriginals; that it was beneath its umbrageous shade they held their councils...*"<sup>18</sup>

So between 1835 to 1845 a growing British population and a declining Boonwurrung population both used and expressed their connection to The Message Tree.

(300 words)

Heading: "The Boonwurrung and the British - Under 'The Message Tree'"

Panel No. 2

## APPENDIX 4

The Message Tree (or 'Notice Tree') was removed by Williamstown Council as part of road construction works in Nelson Place in early 1857 but not before Council's first public campaign on a heritage issue. At least fifty locals fought to save the old tree arguing it was an important place in the early life of the town<sup>19</sup> but also a special place to our First Peoples, an uncommon consideration among British colonists of the 1850s<sup>20</sup>.

1856 was Williamstown Council's first year. Population was booming following the discovery of gold from 1850. In 1849 the town had "about five hundred people" and by 1857 over 3500<sup>21</sup>. Traffic was turning informal dirt roads to thick mud after rain so, in December 1856, Council unanimously decided to formally mark-out street widths, create gutters and surface roads with crushed rock<sup>22</sup>.

It was soon after realised these works would endanger the much-loved Message Tree so within six days 55 residents, led by James Wallace a local teacher and poet petitioned Council requesting "... *a diversion in the roadway ...to leave the Notice Tree situated at the foot of Thompson Street undisturbed*"<sup>23</sup>.

Councillors Moxham and Langford supported efforts to save the tree but were outnumbered on the seven-member Council.

One local who conducted "research" among the protestors to "*discover what qualities this tree has apart from other trees...*", found how they valued the tree's ancient link to the Boonwurrung stating:

*"It appears that many long years before the arrival of a white man upon these shores, that this part of the colony which we now call Williamstown was selected by the aboriginies as their place of rendezvous every month; and beneath the foliage of that old tree have sat the King...Numerous too have been the corroborees which have taken place on the same spot ..."*<sup>24</sup>

298 Words

Heading: The Fight to Save the Message Tree

Panel No. 3

## APPENDIX 4

### Endnotes Containing Historical Sources and Other Considerations:

**1** Fels (2011, pp.377-381) writes about “King Benbow” (also sometimes called Little Benbow) based on her research of the journals of Assistant Protector of Aborigines, Williams Thomas, who had the closest contact with the Boonwurrung of all the ‘protectors’. Here Fels discovers a number of spellings of King Benbow’s Boonwurrung name of which “Boollutt” (a spelling used by Protector Thomas) is adopted here.

The title “N’Arweet” recognises Boollutt’s status as a clan leader or spokesman within his clan (the Yalukit Weelam/Yalukit Willam Clan). This status is recognised by several sources including Fels (2011, p.378) who quotes a close friend of N’Arweet Boollutt in George Henry Haydon who on 19 May 1841 refers to King Benbow as “chief of the Weraby [Werrabee] tribe” (one alternative descriptor British colonists used for the Yalukit Weelam Clan). Other contemporary researchers such as Presland (2010, p24), Clark & Briggs (2011) commonly identify both Derrimut and King Benbow as clan leaders of the Yalukit Weelam as do Boonwurrung descendents such as N’Arweet Carolyn Briggs.

The evidence that ‘King Benbow’ was the leader of the Aboriginal clan at Williamstown is unequivocal in Andrew Curtain’s Essay (1889, p.3) reflecting the common memory of townfolk of Williamstown who had known or seen the Boonwurrung during the 1830s and 1840s. Curtain writes *“King Benbow, at the head of his tribe of aboriginals, was the unquestioned monarch of this Elysian home jutting out into the sea...”*

**2** The knowledge of Boonwurrung counsels and ceremonies near or at ‘The Message Tree’ is reported independently by two early sources. The first comes from a leader of the public campaign to save the tree, Head Teacher of St.Mary’s Primary School during 1856, James Wallace. Wallace’s writings on story of the failed battle to save the tree that year are reproduced in Curtain’s (1889, p.13) Essay where Wallace records *“The earliest tradition regarding the Old Tree is to the effect that long before this country was colonised it was held in almost religious veneration by the aboriginals; that it was beneath its umbrageous shade they held their councils, and...after a battle...regaled...”*.

The second source comes from the Williamstown Chronicle of 3 January 1857 and is from an anonymous correspondent who favours the removal of The Message Tree but amused by the fuss conducts ‘research’ among the protestors to understand the value they place on the tree. Here the correspondent reports his findings in a tone which mocks any British valuing of the Boonwurrung’s association with the tree where he states *“It appears that many long years before the arrival of a white man upon these shores, that this part of the colony which we now call Williamstown was selected by the aboriginies as their place of rendezvous every month; and beneath the foliage of that old tree have sat the King of the Cannibals and all his wives and warriors. Numerous, too, have been the corroborees which have taken place on the same spot; and, it is said, that that old tree, if it could speak, might make some “fearful disclosures...”* This correspondent’s attempt to publicly mock those

## APPENDIX 4

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protesting the removal of The Message Tree from the proposed roadway in 1857 has inadvertently left us with a credible picture of just how the connection to the 'Old She-oak' was associated with Boonwurrung ceremonies with viewed among the colonists who were petitioning Council. Words like "every month" and "numerous, too have been" regarding this link between the Boonwurrung and the tree indicates a strong memory of close relationship by the to the tree and/or place where it stood.

**3** This reference comes from a Boonwurrung oral history as shared by Boonwurrung man, Marbee Williams. Marbee told this story while in attendance at the first Message Tree Project meeting at Hobsons Bay Yacht Club on 28 February 2019.

**4** As outlined in Clark & Briggs (2011, p.14).

**5** Elsum, (1934, p2-3) credits Governor Bourke of New South Wales for naming the town during 1836 as "*Williams Town in honour of the reigning [British] monarch.*"

**6** The use of the word 'invasion' regarding the colonisation of the Boonwurrung Estate was queried during stakeholder workshop and ultimately adopted for inclusion in this panel by the stakeholder group.

The Cambridge Dictionary (2019) defines invasion as "*the act of entering a place by force, often in large numbers*" leading to the questions 'what force?' and 'what numbers?' in regards the conquest of the Yalukit Weelam Clan Estate by John Batman and John Pascoe Fawkner's parties in 1835 and the New South Wales colonial government (and later Victoria) thereafter.

Modern histories of colonisation tend to align with a First People's view-point sees the arrival of the British as an 'invasion'. The most relevant example regarding colonisation of the Yalukit Weelam Clan Estate comes from Tasmanian history James Boyce (2013). Boyce provides evidence to strongly support the idea that British arrival in 1835 was an extremely calculated land theft perpetrated on the Kulin Nations by the Port Phillip Association and led by John Batman. Boyce argues that this private colonisation venture especially mounted to test and break a British Government policy of 'settler containment' that would allow thousands of potential colonists from Van Diemens Land unrestricted access any and all of the lands of our First Peoples on the Australian mainland. Boyce (2013, p.xxii-xiv) writes "*Between 1835 and 1838 alone, more land and more people were conquered than in the preceding half-century. By the end of the 1840s, squatters had seized nearly twenty million hectares of the most productive and best-watered Aboriginal homelands, comprising most of the grasslands in what are now Victoria, New South Wales, South Australia and Queensland. It was 'one of the fastest land occupations in the history of empires.'* In little more than a decade the continental pinpricks which represented the totality of British occupation in 1835 became a sea of red...The catalyst for this momentous change was the founding of Melbourne, the only major Australian city established without government [British] sanction. The movement of men and sheep across Bass Strait from Van Diemen's Land, as Tasmania was known [many to Williamstown], was a private and highly speculative investment. No one was in any doubt that it was also trespass. Consequently, the pioneers' principle challenge was not to subdue the environment

## APPENDIX 4

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*– this was benign grassland country – but to ‘achieve a change in [British] law and policy... The principle obstacle to achieving this was the Aborigines...the squatters themselves were far from passive agents: through their famous treaty with the Aborigines and careful lobbying...the well-connected gentlemen of Van Diemen’s Land pursued their profitable cause. The squatters did not win private title, but the open access conceded by the [British] government had more dramatic consequences than even their ambitious scheming could have anticipated. The tsunami generated by the change in...policy in 1835-6 was such that almost every resident of Australia, black and white, was swept up in its tide.’* This account argues careful premeditated and planned theft of land (if not from the Boonwurrung government then from the British) which led to ‘large numbers’ of people and that sheep became part of a rapid conquest.

The question of ‘force’ as an act or as a threat, and its impacts on our First Peoples, another quite recent area of historical research. Some of this comes from studies of the ‘Frontier Wars’ and of massacres of our First Peoples which have begun emerging as published works by credible authors like Clark (1995).

For the Boonwurrung and other coastal groups, violent contact with the superior lethal technology of the British arriving by sea, either the unofficial colonists (like sealers) or the official such as British naval officers (probably since the end of the 1700s) had given the Kulin Nations clear reason to ‘fear’ the violent potential British colonists on their soil. The Boonwurrung’s first recorded contact with a British Navy vessel, the HMS Lady Nelson is from 17 February 1802 where this early contact resulted in the British shooting a number of Boonwurrung with muskets and then discharging the ships guns *“loaded with round and grape...” upon the fleeting Boonwurrung “...to increase their panic...”*(from the journal of Acting Lieutenant John Murray in Flannery (2004, p.29). Boyce (2013, p.65) emphasises that the Boonwurrung and other clans around Melbourne had a keen fear of British firearms, violence and potential abduction stating *“...sealers, walers and wattle-bark collectors, the first European colonisers...had relations with the Aborigines stretching back over thirty years [prior to 1835]...their knowledge and fear of the effects of firearms [went back] as early as 1803...Indeed the first group of Aborigines Batman encountered in Port Phillip ‘was afraid I should take them by force and ill-use them, as some of their tribe had been already’.*” Presland (2010, pp.83-87) states that *“Certainly the coastal areas of Boonwurrung territory were explored by Europeans in the earliest years of the nineteenth century.”* This included short-lived British government settlements on Boonwurrung lands in Western Port Bay and at Sorrento where some Boonwurrung are known to have been shot during these early contacts. All of this evidence indicates that the fear of ‘force’, if not its systematic application, was a real and present danger to the Boonwurrung.

Understanding our shared history, the term ‘invasion’ has a currency in the public discourse from both a First Peoples and Second Peoples history perspective. With this in mind, the 3<sup>rd</sup> stakeholder workshop that discussed the inclusion of word ‘invasion’ on 2 May 2019, was comfortable that the word deserves its place in this telling of the Boonwurrung story. It was felt that any potential public discussion the word raises would provide a positive opportunity for those raising the question to journey deeper into the historical evidence provided by Boyce (2013) and others. It was considered a discussion with to potential help end the Great Australian Silence (Stanner, 1969) around this question and assist the enlightenment of our

## APPENDIX 4

whole community. Evoking further research and more nuanced public discourse was seen to align with Council's stated commitment to an innovative process of National Reconciliation within Hobsons Bay.

<sup>7</sup> The decline in the numbers of Boonwurrung people was recorded by the colonial 'protectors of Aborigines' from 1839 onwards. Prior to British colonisation from 1835 Boonwurrung numbers are already considered to be have been depleted by British diseases that made their way into the population centres of our First Peoples years before British colonists themselves arrived in their Estates. The main suspect disease is smallpox which arrived in Sydney with the First Fleet and apparently reached Victoria by the end of the 1820s. Presland (2010, p.87) writes *"...there is some evidence that smallpox swept through south-east Australia in 1829-32...Aborigines had no natural immunity to [British-introduced] infections...so the death rate where the epidemics occurred...was unusually high. It is estimated [it]...had a fatality rate of 50 per cent of those infected."*

After colonisation of Melbourne in 1835 however, the rate of Boonwurrung population decline is startlingly rapid. In a census conducted by Assistant Protector William Thomas in November 1839 the number of Boonwurrung number only 83 individuals (of which the Yalukit Willam Clan would have only represented a proportion of the total) (Stephens, 2014.p.82). Of these 90% of the population (man, woman and child) had been assessed by the Colonial Surgeon as presenting with venereal diseases in that same year with many also found to be suffering from dysentery with insufficient food, blankets and exposure to the cold of the winter of 1839 (Stephens, 2014, p.15). Even so the 1839 census shows a healthy birth rate with 40 of the population of 83 aged under 20 years. (p.82) but as colonisation and its effects deepen untimely adult deaths and childlessness among the Boonwurrung grow in direct relation to the growing British population. The largest Boonwurrung family in this period is that of Mingaragon, a respected Elder and the father of N'Arweet Boollutt. Mingaragon was believed to be in his 60s when the British arrived in 1835. He had three wives (aged approximately 20-40 years old) and at least 10 children. In 1843 to 1844, all three of Mingaragon's wives died and Thomas's census' show a number of his children simply disappear from the records altogether. When Mingaragon himself dies in 1847 the Boonwurrung ceremonially arrange a heptagon made of saplings around his grave. When Protector Thomas asks about the significance of this gesture, the Boonwurrung explain that each side represents one of the seven surviving members of Mingargon's clan (the Yaluit Weelam Clan). (Fels,2011, p.217).

By 1855 the Boonwurrung birth-rate is zero percent for the year as Protector Thomas dolefully records in his journal of 31<sup>st</sup> December making the simple annual tally *"6 Deaths, No Birth"* (Stephens, 2014, V3, p.63). Even the death rate tells of a much reduced population given that upon Thomas' arrival in 1839 he witnessed 6 Boonwurrung die in one week (Stephens, 2014, V1, p.15).

From the 1860s onwards, the only survivors of the Boonwurrung living in Victoria were the family of an extremely resilient Yalukit Weelam Clan woman, Louisa Briggs, who had been abducted by sealers as a child, only to return over Bass Strait from the Furneaux Islands, to raise a family in Victoria (Eidelston, 2014, p.20-21). Louisa Briggs' survival is an incredible story of resilience as is her successful raising of a large family and her campaigns for justice

## APPENDIX 4

within the racially-based system of incarcerations of our First Peoples in ‘Missions’ carried out in Victoria. Were it not for this one woman, there would have been no Boonwurrung living in Victoria beyond the 1860s, some 30 years after the arrival of the British colonists of 1835.

**8** Pascoe (2014, p.17) states that “..yam daisy, or Murnong (*Microseris lanceolata*) tubers – a little sweet potato that was a staple vegetable of the Wathaurong...” [language group of the Eastern Kulin Nations]. The Wathaurong (or Wuddawurrung) language group shares its north-eastern boundary with the Boonwurrung at the Werribee River. Both had close inter-marriage relationships and both had Estates with a mix of wide open grassy basalt plains and coastal wetlands along the west of Port Phillip Bay...” Pascoe (2014, p.27) goes on to state that the “...yam was a crucial plant in the economy of pre-colonial Aboriginal Australia...”, an agricultural crop that extended across all of Victoria, especially on basalt soils to the west. Pascoe (2014 p.25) cites Frankel (1982, pp.43-44) who draws on the observations of one of Melbourne’s colonial naturalist Issac Batey who recorded his observations of the obvious cultivation of Murnong as follows: “...the soil (on a sloping ridge) is rich in basaltic clay, evidently well fitted for the production of myrnongs [Murnong, *Microseris lanceolata*]. On the spot are numerous mounds with short spaces between each, and as all these are at right angles to the ridge’s slope it is conclusive evidence that they were the work of human hands extending over a long series of years. This uprooting of the soil, to apply the best term, was accidental gardening, still it is reasonable to assume that the Aboriginals were quite aware of the fact that turning the earth over in search of yams, instead of diminishing that form of food supply, would have a tendency to increase it. In the very weeks of the Port Phillip Company’s incursion into the Estates of Eastern Kulin Nations from Indented Head, during 1835, the company’s surveyor John Helder Wedge sketched Wuddawurrung women harvesting Murnong in this image:



I.H.W. Native Women getting Tam bourn Roots 27 August 1835



## APPENDIX 4

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Pascoe (2014, p. 23) cites the Chief Protector of Aborigines for the Port Phillip District of New South Wales [now Victoria], George Augustus Robinson who while travelling across the basalt plains in western Victoria in 1841 recorded scale of harvest for Murnong as follows: *"...the native women were spread out over the plain as far as the eye could see, collecting Murnong...I inspected their bags and baskets on return and each had a load as much as she could carry."*

**9** "Thousands of sheep only metres from here". Curtains Essay on Early Williamstown tells that the area close to The Message Tree and Gem Pier attracted colonial shipping operations and had a special advantage for landing livestock. He records the beach there was *"a shellbank formation"* and that some vessels found it *"perfectly safe to run in on the sand, remove the sheep into boats to be landed, and compel the cattle to swim ashore"* (Curtain, 1889, p.4). Boyce (2013, p. 151) charts the rapid increase in the tally of sheep introduced by the British colonists where he states that the *"official estimate of sheep numbers rose from 26,000 in June 1836 to...700,000 in 1840"*. As the grasslands west and north of Williamstown were the primary target for colonisation by the Port Phillip Association, it can be safely assumed that a large number of these sheep were landed on the beach close near Gem Pier more than likely milling around The Message Tree upon reaching dry land.

**10** Colonial naturalist, Issac Batey, who lived near Sunbury noted that after 1846 *"...murnong digging was unknown to us, for the all sufficient reason that livestock seemingly had eaten out that form of vegetation."*(in Pascoe, p.25). In addition to the selective grazing of sheep particularly all the hardened hoofed animals introduced by the British fundamentally and permanently changed the very structure of the soil profile on the basalt plains. Apart from removing the grassy overstory by grazing exposing the soil too sun and wind, hoof-compaction destroyed a delicate ecosystem of native herbs. The following description colonist GT Lyod by of the basalt plains west of Geelong, near Colac, provides a glimpse of the biological diversity and fragility of the Murnong fields on the great basalt plains as follows: *"The ground had been so protected by mosses and lichens so thick that it was difficult to ride across the country [on horseback] at any place exceeding the "farmers" jog trot...With the onslaught of the sharp little hooves and teeth of...sheep, goats, pigs and cattle driven in by the settlers, the ground covers were destroyed..."*(in Pascoe, 2014, pp.25-26). Pascoe (2014, p.26) notes that Loyd reported that in the days before soil compaction by cloven-hooved stock his horses would sink *"to the fetlock [effectively ankle deep] into the soil as if it were a sponge."* (Pascoe, 2014, p.26).

It is only logical to conclude that this same pattern of colonial destruction that occurred on the rich but fragile native grassland on the great basalt plains began on the Boonwurrung Estate with stock landed in Williamstown from 1836. Not only would the large numbers of sheep released have removed the protective Kangaroo Grass overstory, eating it down to its roots and exposing the mossy soil surface to destruction by the sun, but the Murnong crop that was cultivated between the Kangaroo Grass Tussocks would have selectively grazed as Batey observed.

## APPENDIX 4

**11** The loss of Boonwurrung food supply as a result of widespread sheep grazing west of the Maribyrnong from 1836 can not be underestimated. The grasslands provided Murnong as a vital staple but the tall tussocky grass cover provided habitat for abundant small game such as Bush Turkey (Australian Bustard) and Bandicoots (such as the now endangered Eastern-Barred Bandicoot). These too would have lost their protective cover over-night becoming exposed to predation and rapid local decline. Melbourne's first trained theologian was the Wesleyan Methodist Reverend Joseph Orton who arrived in the Port Phillip District as early as 1836, taking an interest in the welfare of both Aborigines and colonist.

In 1839 Orton reflects on the dire situation of the Boonwurrung and other clans find themselves in recording that they are *"...almost in a state of starvation and can only obtain food day by day, by begging."* He goes on to observe that *practice of hunting has been almost "abandoned on account of their game being driven away by the encroachment of settlers, and the roots on which they used partially to feed have been destroyed by the sheep."* (Boyce, 2011, p. 164). It is significant that less than four years after the British invasion of the Eastern Kulin Nations Orton can easily link the loss of game and Murnong to the state of starvation facing the Yalukit Weelam and other clans around Melbourne leading to a fundamental forced change of livelihood from farming and hunting to 'begging'.

In 1839, Orton also reflects on the harried landless existence of the Eastern Kulin who must now move from place to place having become unjustly disposed of their sovereign Estates without any just compensation or provision. He records that *"The government is fast disposing of their lands...no reserve whatever is made for the provision of the natives, neither in securing to them sufficient portions of their own native land as hunting ground, nor otherwise providing for their necessities. The result of which is that the natives who remain in the neighbourhood of the settled districts become pilfering – starving – obtrusive mendicants, and after enduring incalculable deprivations, abuses and miseries will gradually pine – die away- and become extinct, leaving only an external memento of a blot upon the justice, equity and benevolence of our Christian government, for no adequate provision is made for them."*(in Flannery, 2004, p.101).

Boonwurrung, such as N'Arweet Boollutt's mob, from west of the Maribyrnong, having lost their lands to sheep farms immediately upon the invasion of their Estate, quickly found themselves landless, vagrant, starving and in danger of mistreatment by colonists.

1839 was the year Assistant Protector of Aborigines who would befriend the Boonwurrung, William Thomas, arrived in Melbourne from London. He acknowledges the dire plight of our First Peoples at their camp on the site of the current Royal Botanical Gardens on the south bank of the Yarra River. Here he laments the cold-hearted nature of the colonial administration where our First Peoples are concerned and the situation they are in with no land, insufficient shelter, food, clothing and protection from colonists. On his arrival in January 1839 Thomas finds many of the Kulin have left the camp at Melbourne due to a deadly outbreak influenza (Stephens, 2014, p.2) and by May he is deeply frustrated by the lack of funds provided to the protectorate by the colonial government and the homelessness, hunger and disease this is causing the ailing Yalukit Weelam and

## APPENDIX 4

neighbouring clans. He writes *“A scene presented itself truly appalled, 5 men in the last stage of dysentery, a piercing cold night to all appearances coming on and not a blanket to cover them, & we their Protectors had not a single blanket at our disposal for these poor creatures. St James the Apostle should have been here. Could the British Parliament or His Excellency have felt our feelings they would certainly never have placed us in such a position without means. They did not however in vain call out plenty cold. I and my colleagues gave them blankets from our own beds... Mr Sievwright’s report [another Assistant Protector] has this affecting sentence “9/10 of these poor creatures are labouring under the Venereal Disease which is not confined to age or sex, the Infant at the breast as well as the aged & infirm are infected with it & the Dysentery occasioned no doubt from privation and cold is awfully raging among them, 5 have already been buried & while I am now writing they are burying the 6<sup>th</sup>”*. (Stephens, 2014, p. 15). Seiwrights diagnosis is confirmed by the Colonial Surgeon, Dr Cousins who Thomas reports as stating *“that in his whole experience of 18 months...that he never visited them in such a diseased & wretched state of want and disease, that 5 or 6 have already died and that 5 or 6 more is at the verge of Death”*(Stephens, 2014, p.15). This one event in May 1889 suggesting 10-12 Kulin are expected to die, is an indicator of the rapid rate of population decline at this time around Melbourne in this period. Thomas’ census of November that year shows only 124 Woiwurrung and 83 Boonwurrung (Stephens, 2014, pp.76-82) remain alive at this time suggesting that loss of 10-12 individuals represents about 5% of the total population Thomas is charged with ‘protecting’. Both Christians, Thomas’ view on the injustice of the treatment of the Kulin clans aligns with Orton when, in August 1839 Thomas writes *“Poor creatures although Tens of Thousands [pounds] have the last few months months been realised from their land not a Blanket is to be given them in return.”*

Shortly after 1839, in an undated letter, Geelong magistrate Foster Fyans again comments on the ravages of sexually transmitted diseases, in this case among the Wuddawurrung around Buninyong west of Geelong stating *“Large families of natives – husband, wife, boys and girls – were eaten up with venereal disease. The disorder was an introduction from V.D. Land, and I am of opinion that two thirds of the natives of Port Phillip have died from this infection.”* (Bride, 1969, p.181). His account emphasises the role of disease but as the accounts of Thomas and Orton suggest the health of our First Peoples in this period was fundamentally compromised by the stresses of landlessness and hunger magnified by a callous indifference to their welfare by the colonial penny counters.

**12** The characterisation of landless natives described by Reverend Joseph Orton (in the endnote ix above) aptly describes the context in which early colonial violence toward Boonwurrung undoubtedly occurred. It is easily assumed, even today, that a beggar is a hair-width separated from a thief. In the context of the remote pastoral stations of the late 1830s, where the Yalukit Weelam and other clans would naturally turn to begging food from pastoralist who had taken up tenancy in their Estates. Often these stations were miles distant from colonial law enforcement where the temptation to use violence as a ‘pragmatic’ solution to what many pastoralist would have viewed a drain on the profits of their lease, could easily result. The evidence that murdering ‘the natives’ was a widespread

## APPENDIX 4

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and widely known, yet culturally secretive, practice in Victoria is most accurately described by one pastoralist who took up Boonwurrung lands on the Mornington Peninsula. From here he wrote a shockingly candid letter home to his mother in Britain about the scale and cultural acceptance of cold-blooded murder on the pastoral ‘frontiers’ of Victoria. He states:

*“The blacks are very quiet here now, poor wretches, no wild beast of the forest was ever hunted down with such unsparing perseverance as they are; men, women, and children are shot where ever they can be met with, some excuse might be found for shooting the men by those who are daily getting their cattle speared, but what they can urge I their excuse who shoot the women and children I cannot conceive. I have protested against it at every station I have been in in Gibbs (Gippsland) in the strongest language but these things are kept very secret as the penalty would certainly be hanging...I remember the time when my blood would have run cold at the bare mention of these things but now I am become so familiarised with scenes of horror, from having murder made a topic of every day conversation. I have heard tales told, and some things I have seen that would form as dark a page as ever you could read in the book of history – but I thank God I have never participated in them – If I could remedy these things I would speak loudly though it cost me all I am worth in the world, but as I cannot I will keep aloof and know nothing and say nothing.”* (in Clark, 1995, pp.1-2).

Another pastoralist who wrote candidly about the pragmatic nature of massacre and murder as part and parcel of a Victorian pastoral venture was Neil Black from Victoria’s Western District. In 1939 he wrote:

*“The best way [to procure a run] is to go outside and take up a new run, provided the conscience of the party is sufficiently seared to enable him without remorse to slaughter natives right and left. It is universally and distinctly understood that the chances are very small indeed of a person taking up a new run being able to maintain possession of his place and property without having recourse to such means — sometimes by wholesale . . . (9 December 1839 in Clarke, 1995, pp.1).*

The brazen nature of violence against our First Peoples in the early years is mostly recognized as something that happened away from Melbourne where the colonial authorities might see or hear of such cases and investigate.

The Yalukit Weelam Clan, whose Estate includes Melbourne and Williamstown, are often considered to have not faced such gratuitous violence, however one story of mass killing on the western border of the clan estate at the Werribee River exists. This account reflects the classic elements of the dilemma for our First People at his time; the resorting to “stealing” sheep (spearing them) and begging for staples (in this case flour) and then subsequently dying from violent conflict, in this case by arsenic poisoning. The account is recalled in the Werribee Banner in 1924 as part of a local history lecture given by J.J. Ryder in a student if Corpus Christi College at the property now known as Werribee Mansion, now part of Werribee Park. The first British colonists to settle on this property were the Wedge family after the John Helder Wedge (the surveyor for the Port Phillip Company) took possession of

## APPENDIX 4

the land from the Boonwurrung for their pastoral homestead. Ryder recounts the story as follows:

*Wedge settled down at Werribee, and built a small house just below the College farm. At this time the natives were very numerous. They held their corroborees down in the orchard, fished in the river, and hunted along its banks. They used to spear Wedge's sheep, and it was not safe for a white man to venture forth without a gun. But the blacks disappeared from the district very suddenly. When asked how this happened, a member of the Wedge family related that one night they stole a bag of flour containing arsenic, and their screams could be heard for a mile away. (Werribee Shire Banner, 1924, p.3).*

This story is repeated in James (1985) for the 100 year centenary of the Werribee Shire where he states:

### FATE OF ORIGINAL OWNERS OF THE LAND\*

The coming of the squatters to Victoria helped bring a rapid end to the aboriginal population. It is true that the Government established aboriginal protectorates with the aim of settling and

'civilizing' such Aborigines as desired to enter the white way of life. The Protectorates, in existence from 1838 to 1849 were unsuccessful. The Aborigines who lived in the Werribee area were to disappear before the squatters. Who were these people?

Initially the contact appears to have been peaceful as they were not yet aware of the fact that they were being dispossessed of their lands. There are plenty of accounts of peaceful relations between white and aborigine. John Helder Wedge had aboriginal companions who kept faith with him, as he with them. Charles Wedge, nephew of John Helder Wedge, who lived on the Werribee in the early days later recorded that the Aborigines around the Werribee area were peacefully disposed, doubtless, he said, in great measure because of facilities of communication afforded by the long residence among them of the runaway prisoner of the Crown, William Buckley.

## APPENDIX 4

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However, it did not take long for the intentions of the squatters to become clear. They now saw the land as legally being theirs and the Aborigines to be trespassers.

The squatter who had come to the Port Phillip district to make his fortune so that he might return home a wealthy man, found in the spearing and running off of sheep and cattle, a threat to his capital. In this situation, his attitude to the Aborigines was often that of open hostility. This led to conflict between these two groups, both of whom saw themselves as being the rightful owners of the land.

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If the settlers could tell of stolen sheep and slaughtered shepherds, the Aborigines could tell of unwarranted vice and murder, with the poisoning of many of their people in the Werribee area and elsewhere. In the late 1840's, Ned Wedge, a son of Charles Wedge, explained to one of the new arrivals in the district, Mr. William Ison, probably in answer to a question as to the lack of Aborigines in the district, that in the early days the Aborigines had been so numerous, it was hardly safe to go about without a gun. They used to spear the sheep, and if the shepherd left any rations in his hut, the Aborigines were sure to take them. To the question, 'But how is it that none of them are left now?' he replied, 'Oh, they all disappeared one night; they stole a bag of flour containing arsenic; their yells could be heard a mile off'. Ned disassociated his family from this tragedy, a not infrequent incident in early colonial history.

(James, 1985, pp 10-13)

**13** The word 'Estates' in this sentence is written with a capital 'E'. This is done as a mark of respect to the idea that Boonwurrung sovereignty over their traditional lands is a real and unresolved matter in our history. While the notion of 'Terra Nullius' was long held as a truism of British law in Australia, it was ultimately dispelled as an obvious fiction by the High Court of Australia in the famous Wik decision in the early 1990s. Historically however, the early colonial record is littered with statements by individuals who are in contact with our First Peoples and who acknowledge their obvious natural claim to be owners of the land that is being colonised. Assistant Protector Thomas himself despairs for the injustice being visited on the sovereign Boonwurrung people when he writes the following statement in his journal "*Poor creatures although Tens of Thousands have the last few months been realized*

## APPENDIX 4

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*from their land not a Blanket is to be given them in return.*” In the Stakeholder discussions about the use of a capital letter it was viewed that if Australia and Victoria receive a capital letter in recognition of their sovereign status as Country or State, it would be most accurate, just and respectful to also place a capital ‘E’ on the word Estate when referring to the Boonwurrung Estates or the Yalukit Weelam Clan Estate.

**14** In approximately 1836, in the very early days of colonial contact the Yalukit Weelam Clan (and possibly other Boonwurrung) suffered enormous losses in a dawn raid by a group of Gippsland Blacks (of the Gunai-Kurnai Language Group). The attack took place at Middle Brighton which was a favoured campsite of the Boonwurrung and 77 men, women and children are believed to have died in the attack. This story was recorded by a number of sources around Brighton. (Fels, 2011, pp.255-256) and led to pay-back attacks by the Boonwurrung on the Gunai-Kurnai a few years later (Fels, , pp.249-254). It is unknown if such violent raids occurred prior to the period of contact with the British after 1790. Given that the colonial government had formed a Native Police Force staffed by Boonwurrung and Woiwurrung men to conduct raids within Gippsland aimed at protecting the interests of British colonists there, it would be unreasonable to assume that the actions of the British has ‘no influence’ on the violent actions of our First Peoples in during this early colonial period. Either way, this ‘black on black’ violence led to the death of many Boonwurrung which only added to the list of challenges their fast declining population was facing from the colonisation of the Boonwurrung Estate.

**15** From the 1860s onwards, the only survivors of the Boonwurrung living in Victoria were the family of an extremely resilient Yalukit Weelam Clan woman who had been abducted by sealers as a baby, only to return over Bass Strait from the Furneaux Island to raise a family in Victoria (Eidelston, 2014, p.20-21). Louisa Briggs’ survival is an incredible story of resilience as is her successful raising of a large family and her campaigns for justice within the racially-based system of Aboriginal incarceration in ‘Missions’ carried out in Victoria. Were it not for this one woman, there would have been no Boonwurrung survivors living in Victoria beyond the 1860s, some 30 years after the arrival of the British colonists of 1835. What this also reflects is that all of the Boonwurrung who lived or were born under colonial rule from 1835 onward died. It amounts to what was a total genocide of the Boonwurrung in Victoria which would have remained the final outcome of British conquest of the Boonwurrung Estates had it not been for Louisa returning to Victoria in 1852 and producing children. Louisa’s descendants are now representing the history and culture of the Boonwurrung Estates including Caroline Martin and Marbee Williams from Yalukit Marnang who have contributed to this project.

**16** See Boyce, 2011.

**17** See Curtain, 1889, p.13

**18** See Curtain, 1889, p.13

## APPENDIX 4

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**19** The first minute book of Williamstown Borough Council from 1856-57 contains the words of the residents petition on page 210 for the meeting on 18 December 1856 as follows “*The Chairman presented a petition from fifty-five ratepayers of the district praying the Council to instruct their Surveyor of the advisability of making a diversion in the roadway now in course of construction in Nelson Place so as to leave the Notice Tree situated at the foot of Thompson Street undisturbed*”. This record is held in the Public Records Office of Victoria (Location V/AH/023/08/04).

**20** The strong connection to the location of The Message Tree for Boonwurrung is established by two main sources from 1856, the time of the campaign to save the tree from removal. James Wallace (an account republished in Curtain, 1889) and an anonymous letter writer published in the Williamstown Chronicle on 3 January 1857. Both describe a very long and regular connection to location of the tree for Boonwurrung who were seen there conducting ceremonies and counsels. See Appendix 1 for a fuller analysis.

**21** Strahan Lynne, 1994, *At the Edge of the Centre: A History of Williamstown*, Hargreen Publishing, pp 22-24. Strahan quotes W. Cheney recalling in 1909 that he arrived aged seven in 1849 and recalled the town was then small ‘*approximately 500 people*’. An 1846 census quoted in Elsum (1934, p.71) suggests 322 residents in that year, so the 500 figures is adopted as probable. The figure for 1857 of 3536 is quoted by Strahan (p.24) as a number excluding the ‘*floating population of seamen*’.

**22** Williamstown Borough Council Minute Book, 12 December 1856, pages 203-204, Public Records Office of Victoria (Location V/AH/023/08/04).

**23** Same as for endnote number 19, above.

**24** From a letter to the *Williamstown Chronicle on 3 January 1857 on Page 3* from an ‘anonymous’ writer arguing in support of the removal of the Message Tree and clearly mocking the concern of local ‘save the tree’ campaigners for their interest in the ancient Boonwurrung connections to the tree. This article is available at the National Library of Australia via [trove.nla.gov.au](http://trove.nla.gov.au) using an advanced digitised newspaper search.

## REFERENCES:

References provided at the end of the main Outcomes Report Document, p.26