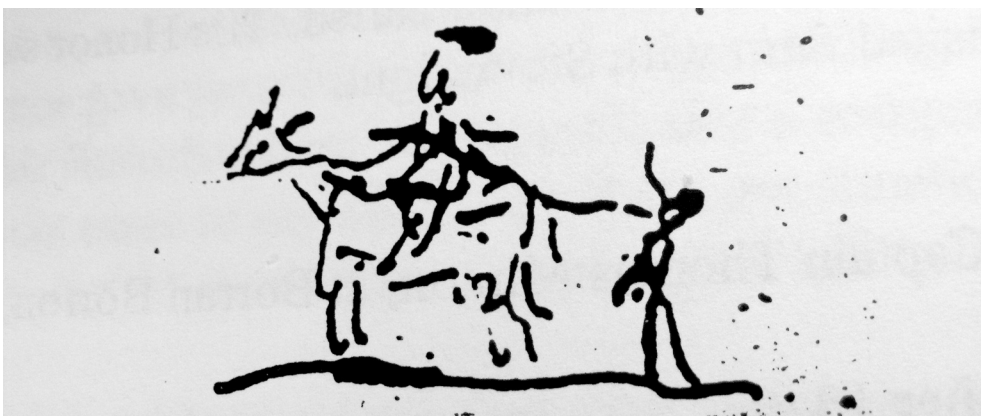


Interpreting an Image: George Augustus Robinson's Yass to Port Phillip Road, 1840-1844

BRUCE PENNAY

George Augustus Robinson was angry. As the recently appointed Chief Protector of Aborigines in the Port Phillip district of New South Wales, he visited the Port Phillip lock-up during the summer of 1840-41 to minister to Aboriginal prisoners from the Goulburn, Ovens and Murray River districts. During those visits, he explained to the prisoners why they were there and what they might expect of British justice.

Two weeks before Christmas, a new prisoner, Minnup, aka Merriman, explained to Robinson how he had been brought to Melbourne by a mounted policeman for his alleged involvement in a murderous attack, in May 1840, at a station owned by Dr George Mackay. 'He complained of being dragged with the chain around his neck and showed the position he walked thus ... I cannot but condemn this wicked and barbarous mode of conveying a prisoner.'¹



*Frontier violence: Robinson's sketch of an Aboriginal man (probably Minnup, aka Merriman), shackled around the neck, handcuffed and being dragged forward over uneven ground. (Source: Ian D. Clark [ed], *The Journals of George Augustus Robinson*, vol 2, December 1840, p 48, Figure 12.1, *Heritage Matters*, 1998.)*

Robinson's crude ink-sketch of an Aboriginal man, shackled around the neck, handcuffed and being dragged forward over uneven ground by an armed mounted policeman, is a graphic representation of the shortcomings of frontier justice.

I interpret this image of frontier violence as part of a near-witnessed place story. It points to Robinson as a key witness to the impact of rapid dispossession. It draws attention to the frontier formed with the inland pastoral invasion along the line of road from Yass to Port Phillip.

Robinson's encounter with Minnup followed a trip he had taken north to investigate a robbery that had been committed in March 1840 at the property of Peter Snodgrass. The picture appears in his journal along with his musings on the subsequent court case in January 1841. It marks the beginning of Robinson's interest in another incident: George Mackay's reprisals for the earlier attack on his property. In February 1841, Robinson was ordered to investigate a complaint about those reprisals as 'aggression towards the Aboriginal people' in the Ovens and Murray River districts.

This interpretation tries to look principally through Robinson's eyes at two comparatively minor incidents. Both have received more detailed attention elsewhere.² I claim here that Robinson's accounts of his investigative journeys broaden understandings of resistance to the dispossession that came with the rapid pastoral expansion into the land between the Goulburn River and Yass. These were turbulent times: a 'frenetic period of expansion from 1837 to 1842'; and 'the height of Aboriginal resistance from 1840 to 1843'.³ Amid the social turmoil, the British Government established a Protectorate to safeguard the welfare of native peoples.

Frontier justice

Three weeks before Robinson made his sketch, he had heard how Jaggeroggrer, aka Harlequin, another Waywurru man from the Murray River district, was similarly escorted to prison by Thomas Cormick, a mounted policeman, to face charges of being a ringleader in the attack on Mackay's station. Cormick dragged Jaggeroggrer from the Broken River police barracks to Melbourne in extremely hot weather. The journey, unlike Minnup's, was remarkably swift: the last 80 kilometers had been covered in two days. Jaggeroggrer was in poor health. He languished in prison for weeks with a fever brought on by 'excessive exertion' before he died.

Robinson's story of the two cruel escorted journeys to jail is intermingled in his journal with accounts of a second angrily reported story. He bristles at unjust proceedings in the newly created Supreme Court as it weighed charges against 10 Aboriginal men who allegedly flourished firearms during a robbery at Peter Snodgrass's property.

The arrests were problematic. The trial was a farce. And to cap it all, the sentence was poorly executed: those found guilty escaped before they could be

transported to Sydney; one was killed and another wounded in the escape. The 10 men charged with offences had been gathered crudely, identified imprecisely and brutally conveyed to court for trial. The interpreters were incompetent: the charges were not translated for the benefit of the accused. It seemed to Robinson that only one conviction was safe. The other nine men were presented as accessories. 'If this is to be the practice of the court, whole tribes in the future can be indicted and deported,' he noted.⁴

Moreover, Robinson doubted the capacity of the accused to comprehend the proceedings. They did not understand that taking livestock and goods was a punishable wrongdoing. They told Robinson that the men working for Snodgrass frequently gave them sheep, flour and sugar for their women, 'to come on Charlotte, come on Mary Ann'. Even worse, those charged were not able to plead or to answer the charges, as the colony's courts did not accept the evidence of Aboriginal people.

Robinson's criticisms of the trial were eventually acknowledged as being well founded.⁵ His championship of the legal rights of Aborigines has won him the approval of historians. This was Robinson's 'finest hour'.⁶ This was what protectors were meant to do.

Pastoralists settled along the Yass to Port Phillip Road also found fault with frontier policing and with the colony's justice system. But they had different expectations of law enforcers and protectors.

The attack on Mackay's station involving Minnup and Jaggerogger and others was a serious one. It had lasted two days and involved 20 Aboriginal men. They speared all the horses, scattered the herd of 3000 cattle, burnt the wheat store, and killed a hutkeeper.

Consequently, Mackay was dismayed to hear that Robinson had helped secure the release of Minnup on the grounds that there was no warrant for his arrest. Further, Mackay learnt that Robinson had equipped Minnup with clothes and rations and arranged his safe return to his country. Mackay forcefully told Robinson, face to face, that Minnup was 'one of the worst men'. Indeed, Mackay had secured a warrant for his arrest as a ringleader from Henry Bingham, the Commissioner for Crown Lands (Murrumbidgee).⁷

The indignant Mackay's complaints about the justice system went further. He had initially got no support from the police when he reported the attack on his station. As a result, he had taken matters into his own hands. Over the next 18 months, he, his stockmen and mounted policemen zealously conducted raids throughout the Ovens and Murray district to apprehend those involved. But all 17 men he apprehended were discharged on arrival at the Port Phillip prison.⁸

Reverend Joseph Docker, Mackay's near neighbour, complained that Mackay's vigilante raids were indiscriminate and had deprived him of Joe Moleletninner, one of his best workers. Docker explained to the Governor of New South Wales, Sir

George Gipps, that he employed, fed and clothed up to 22 Aboriginal workers. He and they were well satisfied with the arrangement. Unfortunately, there existed in 'most of the settlers around [him] an inveterate and deep hatred of Aborigines'.⁹ Gipps ordered Robinson to investigate Docker's complaints.¹⁰

Henry Bingham, the Commissioner for Crown Lands (Murrumbidgee), had reported on the attack and on the attempted destruction of Mackay's station. He advised that John Mackay, George's brother, who was in charge of the station at the time, had been unnecessarily discourteous to the Aboriginal group when it arrived. Settlers, Bingham suggested, should try to be friendly given the impracticability of providing them with sufficient police protection. Bingham listed the complaints that might have caused the affray but thought there was a more general grievance. 'The Blacks have further related to me, that on the first settlement of the whites on the Ovens River [the whites] killed and shot many of them.'¹¹

Robinson found that the attackers seemed to be principally seeking retaliation against Benjamin Reid, an assigned servant. He said Docker had told him that Reid on one of the Mackay reprisal raids had boasted that he would 'shoot every b – y black on the river'. Reid had had several collisions with the natives and some had been fatal. John Mackay took efforts to protect Reid and his wife from the attackers.¹²

Gipps, guided by the reports from Bingham and Robinson, concluded that it was a 'well-planned attack'. It was more than an attack under pressure of hunger. It was broadly based as a 'preconcerted measure of revenge or retaliation rather than an ordinary act of rapine committed for mere wantonness or under the pressure of hunger'.¹³

George Faithfull, another near neighbour, formed a similar opinion of the more general situation. For him, attacks and reprisals amounted to warfare brought on by the hostility of the natives. He told how he had shot many Aborigines and claimed that his show of strength on his run had deterred other attacks. Further, Faithfull accused the law enforcers and the protectors of interference, which, he said, was counterproductive. In response to the many unsympathetic inquiries the interferers made, people were encouraged to form themselves into bands and to take matters into their own hands. It was then, he hints darkly, that 'the destruction of the natives really [took] place'.¹⁴

Peter Snodgrass, when asked in later life, was evasive in his reflections on his interactions with Aboriginal people. He made no boast of his reprisals in the wake of the killing of Faithfull's overlanders, when he was known to have 'birched the darkies'.¹⁵ Instead, he recalled that the natives were well disposed when he used 'conciliatory measures'. And he was sure they would soon become extinct from disease.¹⁶

Yet, in his investigations of the armed robbery at Snodgrass's property, Robinson found a remarkable similarity in the evidence he gathered from Snodgrass's employees that Windberry, the Taungurung man who led the attack, had

belligerently declared the country was his and belonged to ‘blackfellas’.¹⁷

Three out of four of these pastoralists with runs near the Yass-Port Phillip Road held that violence was necessary to overcome resistance to dispossession and to establish ways they might coexist with the native population.¹⁸

Robinson’s journals

On his many journeys through and just beyond Port Phillip, Robinson was not only investigating collisions between European settlers and Aboriginal people but was also, as he put it, visiting tribes. As the Chief Protector, he had a broad mission. He was certainly charged with caring for and advancing the legal and land rights of Aboriginal people. In doing so, however, Robinson was to ‘create a personal knowledge of the natives, and a personal intercourse with them’. That meant he was to learn their languages and to record their number. Importantly, he was to ascertain congenial employment.¹⁹ Consequently, he was keen to observe how Aboriginal and non-Aboriginal people were interacting wherever he went, including along the Yass to Port Phillip Road.

Historians have worried about Robinson’s testimony. As a government official, he was complicit in the dispossession of Aboriginal people. Yet he was intent on trying to understand Aboriginal ways. He sought and recorded Aboriginal peoples’ perspectives on the affrays he investigated. He gave some accounts of how they were experiencing dispossession.

Readers of Robinson’s journals may well complain that they are an untidy source. Robinson has provided a day-to-day jumble of immediate concerns, sometimes intermingled with and interrupted by lists of names, vocabulary and place distances. There are imprecise pronoun references and non-sequiturs. Word juxtapositions do no more than hint at sense. The text is accompanied by rough sketches, usually recording aspects of Aboriginal culture, bush oddities, settler housing and directional maps.

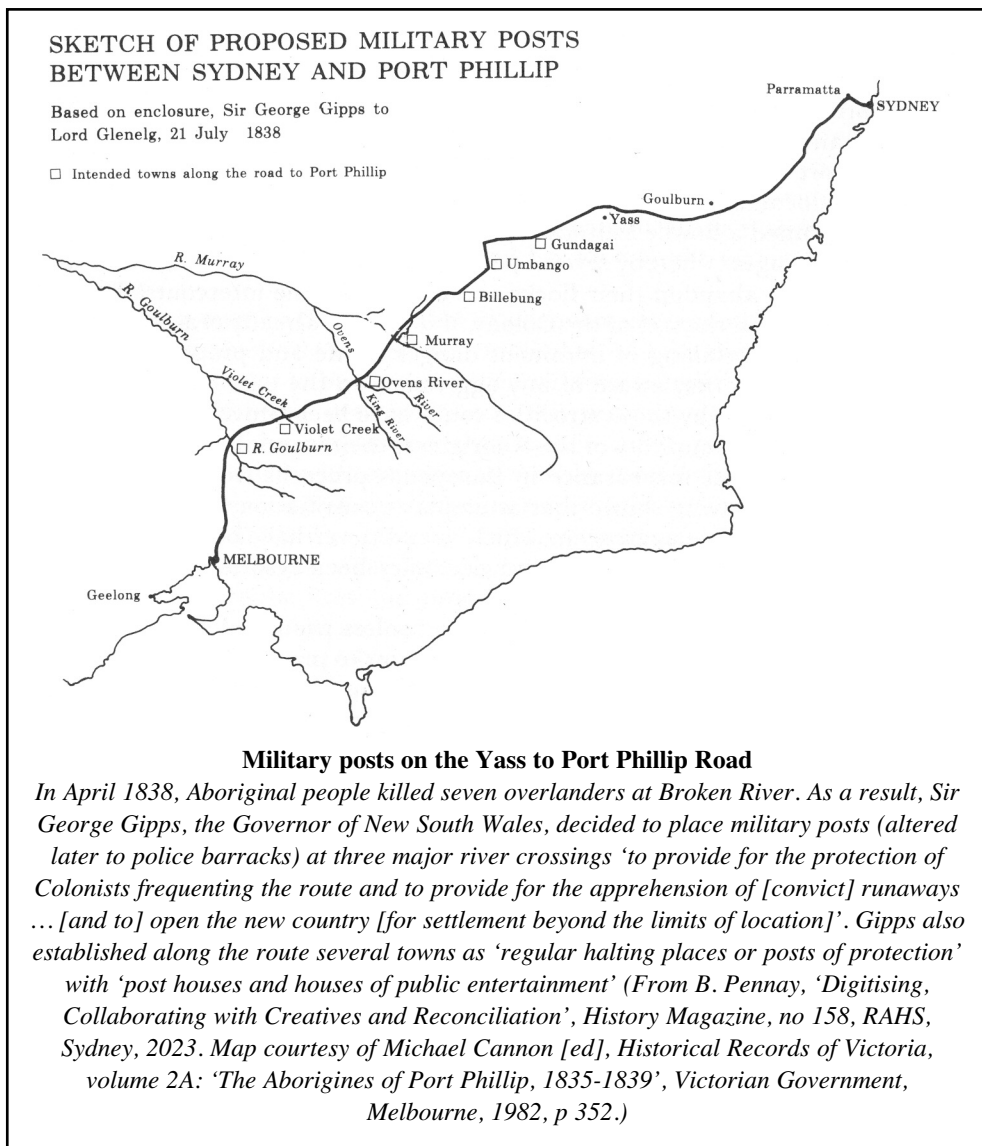
Yet the journal has all the attractions of immediacy: first thoughts, first feelings. Further, Robinson occasionally pauses on his trips along the road north to reflect more generally on matters of moment to him. He respects the Aboriginal people for their connection with country and records his wonder at the ways they eked a living from the rivers and the land. Indeed, he admires the ‘ingenuity of these singular people’.²⁰ He interviews them and asks about their cultural practices and family networks. He marvels at the intricate pattern of tribal affiliations. Often, he gives personal items and pieces of paper promising blankets and clothes and safe passage in exchange for things they had made and for their ‘information’. He regrets that neither the settlers nor the natives tried to understand each other.

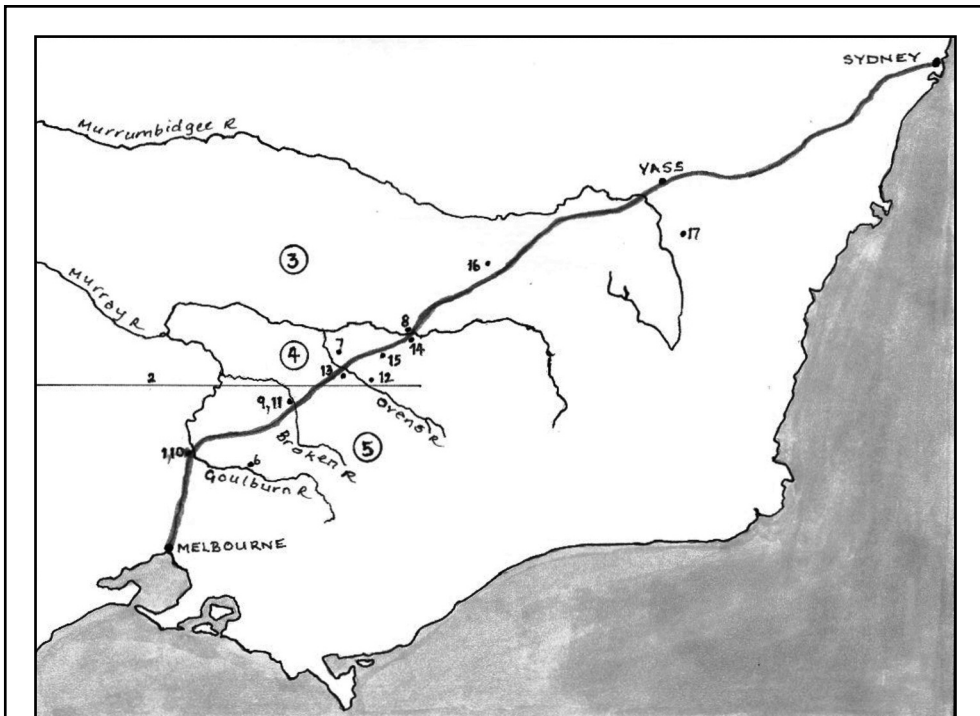
Robinson’s journals provide a vantage point that includes Aboriginal voices. They give glimpses of Aboriginal peoples’ experiences of colonisation.

The road between Yass and Port Phillip

Robinson travelled along the road again in 1844 – this time, on his return from a long journey through Gippsland, which, driven by curiosity, he extended to Twofold Bay and across to Tumut and Yass, then down the road to Port Phillip.

Robinson's journals were not published, but a manuscript giving an account of his 1844 journey appeared in print in 1941.²¹ In that account, Robinson reflected expansively on the rapid decline in the number of Aboriginal people. He blamed inter-tribal warfare and European diseases. And he noted that ophthalmia and intemperance caused major problems.





Key locations on Robinson's road to Port Phillip

Conjecturally, the main features on Robinson's mental map of the Yass to Port Phillip Road would have been the protectorate station posts manned by James Dredge on the Goulburn River (1); the porous northern boundary of the protectorate between the Broken and Ovens rivers (2); and the lands of the tribes he visited that spoke Taungurung, Waywurru and Wiradjuri languages (3, 4, 5). Robinson encountered many people on his journeys along and off the road. For my interpretation of this picture, I focus on his investigations of incidents at Peter Snodgrass's station in 1840 (6) and at Rev Joseph Docker's station in 1841 (7). I note that on each journey, he visited all three police barracks that protected the route (8, 9, 10). He always remarked on passing the site of the Aboriginal attack on George Faithfull's overlanding party in 1838 (11). He visited George Mackay's (12) and Faithfull's stations (13). These were places where Aboriginal leaders, either Windberry or Minnup and Jaggeroggrer, challenged pastoralist occupiers. Beyond the protectorate, he found pastoral stations where remarkably amicable relations were established; that is, on runs occupied by Docker, Huon (14), Barbour (15), Smith (16) and Murray (17). (Drawn by Celia Pennay, 2024.)

In this account, he no longer called for sanctuaries to be reserved to allow Aboriginal people to live together and work for themselves as they had been on the Mitchell line, perhaps because much of the country on the Hume and Hovell line was beyond his protectorate. Elsewhere, however, his strong advocacy for Aboriginal land rights had considerable impact on British policymakers. He helped

ensure that the rights to pasturage 'did not exclude Aboriginal peoples' rights to live on, travel over and obtain their subsistence from leased lands'.²²

In 1844, Robinson found hope. He was pleased to meet with 'respectable settlers' who worried about the health and living conditions of Aboriginal people. He noted the ways in which at Twofold Bay and at Albury the Aboriginal people were generally 'well conducted and employed by the settlers'. He explained how adaptation to the settler economy provided survival opportunities. He concluded with the happy observation that the country along the road generally 'as far as the Aboriginal and European inhabitants were concerned was perfectly tranquil'.²³

Unlike Robinson's journal, the published account does not convey the trepidation he felt as a non-swimmer crossing the flooded Murray River in a fragile canoe. Nor does it explain that the police had restricted the number of official Aboriginal canoeists carrying the mail across the river to three. It would be ironic if, as Albury's first local historian claimed, one of the three would, at another stage, be Minnup.²⁴ However, Minnup has won recognition as an Aboriginal resistance leader, reputedly involved in many outrages.²⁵ The members of Dana's Native Police Corps named a police horse after him by calling it 'Merriman', his endowed name.²⁶

Hopefully, this interpretation of Robinson's sketch might broaden understandings of the dispossession that accompanied the expansion of white settlement. In trying to depict something of the mental lie of the land over which Minnup and Jaggerogger were dragged, I endorse the call for historians to visit Robinson's journals afresh.²⁷ I invite local historians to use the journals to tease out how people experienced the invasion variously in local pockets through what is now Victoria and southern New South Wales.²⁸ State-based historians have tended to ignore the road between their states; however, in the conquest of the inland river lands, the road formed a frontier illustrative of military and survival strategies parallel to the more closely examined road across the Blue Mountains and in the earlier white settlement of the Hawkesbury.²⁹

More generally, I invite historians to examine early Aboriginal and non-Aboriginal peoples' interactions along a road that the white settlers made both 'a show of power' and 'a display of justice'.³⁰ The sketch associated with two incidents along the Yass to Port Phillip Road sparks inquiry that draws on and feeds present-day interest in the scale and coordination of resistance to dispossession, and in responses to that resistance.³¹

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Notes

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1 Ian D. Clark (ed), *The Journals of George Augustus Robinson, 1839-1845*, Heritage Matters, Melbourne, 1998, vol 2, 10 December 1841, p 40 (hereafter Clark, *The Journals*).

2 For example, Charles White, 'The Story of the Blacks', *The Register* (Adelaide, SA), 18 August 1904, p 5; M. F. Christie, *Aborigines in Colonial Victoria 1835-86*, Sydney University Press, Sydney, 1979, pp 63-65, 110-112; Michael Cannon, *Black Land, White Land*, Minerva, Port Melbourne, 1993, pp 31-45; T. F. Bride (ed), *Letters from Victorian Pioneers: being a series of papers on the early occupation of the colony, the Aborigines, etc, addressed by Victorian pioneers to His Excellency Charles Joseph La Trobe, Esq, Lieutenant-Governor of the colony of Victoria*, William Heinemann, Melbourne, 1969, first published in 1898, pp 209-223.

3 James Boyce, *1835: The Foundation of Melbourne and the Conquest of Australia*, Black Inc, Melbourne, 2013, pp 150-154.

4 Clark, *The Journals*, vol 2, 6 January 1841, pp 51-57.

5 La Trobe to Gipps, 3 July 1846, quoted in Christie, *Aborigines in Colonial Victoria*, p 111.

6 Vivienne Rae-Ellis, *Black Robinson*, Melbourne University Press, Melbourne, 1996, pp 205-208.

7 Bride, *Letters from Victorian Pioneers*, pp 211-213.

8 *ibid.*

9 Public Record Office Victoria (PROV): VRPS 10/P000, 'Inward Registered Correspondence to the Superintendent of Port Phillip District, relating to Aboriginal Affairs, 1839-1851, Docker to Gipps', VPRS 10/P0000, File no 1841/143 Colonial Secretary: forwarding copy of Rev Dockert's letter concerning aggression toward Aborigines.

10 Gipps to Russell 9 April 1841 and Stanley to Gipps 5 October 1841, Papers 25 and 26, *British Parliamentary Papers Relevant to Aborigines, NSW*, 1844, pp 106-113. See also Cannon, *Black Land, White Land*, pp 44-45.

11 Bingham to Thomas, 'Affray between Dr Mackay's Men and Black Natives', 13 October 1840, Letter No 40/11004, Commissioner of Crown Lands, 1840, [4/2486.1], Reel No 1841. Museums of History New South Wales – State Archives Collection: NRS-905, Main series of letters received [Colonial Secretary], 1826-1982. Digital images available online in Collection Search at INX-45-760.

12 Robinson to La Trobe, 17 February 1841, Paper 25, *British Parliamentary Papers Relevant to Aborigines, NSW*, 1844, pp 108-109.

13 Gipps to Lord Russell, 3 February 1841, cited in Bride, *Letters from Victorian Pioneers*, p 210.

14 Bride, *Letters from Victorian Pioneers*, pp 219-233.

15 John Conway Bourke, 'Papers', RHSV Manuscript Collection.

16 Bride, *Letters from Victorian Pioneers*, pp 215-217.

17 Clark, *The Journals*, vol 1, 5 April 1840, p 214.

18 Tim Rowse, 'A Short and Simple Provisional Code', in S. Furphy and A. Nettelbeck, *Aboriginal Protection and its Intermediaries*, Routledge, Melbourne, 2019.

19 House of Commons, Parliamentary Papers, 1837 (42.5), *Report for the Select Committee on Aborigines (British Settlements)*, pp 43-44.

20 Perhaps most appreciatively in Clark, *The Journals*, vol 1, 30 April 1840, pp 255-256.

21 George Mackaness, 'George Augustus Robinson's Journey into South-Eastern Australia', *Journal of the Royal Australian Historical Society*, 27 (50), 1949, pp 12-43.

22 Henry Reynolds, *The Whispering in Our Hearts*, Allen & Unwin, Sydney, 1988, pp 47-60.

23 Mackaness, p 43.

24 Arthur Andrews, *The History of Albury 1824-1895*, Albury & District Historical Society, Albury, NSW, 1912/1988, p 4.

25 Finding Merriman, <https://findingmerriman.com.au/merriman/>, accessed 12 April 2024.

26 Marie Hansen Fels, *Good Men and True*, Melbourne, MUP, 1988, pp 78-79.

27 Lyndall Ryan, 'Historians', in Anna Johnston and Mitchell Roll, *Reading Robinson*, Monash University, Clayton, Vic, 2012.

28 For those interested in Robinson's accounts of place, see H. McPherson, 'Frontier War on the Port Phillip Road', unpublished paper, Benalla, 2023; Niel Gunson, 'Reality, History and Hands-on Ethnography', *Aboriginal History*, 26, 2002; Gary Presland, 'The Journals of George August Robinson', *The La Trobe Journal*, 43, 1989, pp 3-7.

29 Stephen Gapps, *Gudyarra: The First Wiradjuri War of Resistance, The Bathurst War 1822-1824*, NewSouth Books, Sydney, 2021; Grace Karskens, *People of the River*, Allen & Unwin, Sydney, 2020.

30 Fels, *Good Men and True*, pp 183, 155-159; Christie, *Aborigines in Colonial Victoria*, pp 81 et seq.

31 For example, Rachel Perkins, *The Australian Wars*, Blackfella Films, SBS, 2022; Stephen Gapps (forthcoming 2024), 'The Rising: War along the Entire Frontier of the Colony of NSW, 1838-1842' (working title).