

Dhiirranhi ngiyani ganunga WE REMEMBER THEM



FRIENDS OF MYALL CREEK MEMORIAL

# Myall Creek Massacre and Memorial

OUR SHARED HISTORY

BINGARA NSW  
*myall creek*  
our shared history

# Gulbiyaay. Welcome all.

We acknowledge the traditional custodians of Country and recognise their continuing connection to land, waters and community. We pay our respect to them, their culture and their heritage beliefs; and to elders past, present and emerging.

Aboriginal sovereignty over Australia has never been ceded by the First Peoples. The nation of 'Australia' exists, based originally on the doctrine of *Terra nullius*, and British occupation or 'settlement' of the continent. This legal fiction was, however, overturned in the High Court's 1992 Mabo judgment that rejected the British assertion of sovereignty in 1788 when Governor Phillip and the First Fleet arrived at Port Jackson to found a new penal colony.

Owning as a nation the true history, hearing the stories and respecting the memory of the fallen are ways that we can together move forward to a place of justice, forgiveness, equity and healing for us all.



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## MYALL CREEK MASSACRE AND MEMORIAL

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## PART 1

# The Story of the Myall Creek Massacre

*(This summary account has, as its main source, 'Waterloo Creek', by Roger Milliss, the most detailed and carefully researched study of the massacre yet produced. For the full detail of events, Milliss' book should be referred to.)*

## BACKGROUND, 1788–1837

**The infamous massacre of Aborigines at Myall Creek in Northern New South Wales in June 1838 occurred in the fifty first year after the British began their penal colony near Sydney cove.**

The encroachments of the Europeans brought years of devastating strife to Aboriginal peoples, who had lived on this country for thousands of years. They suffered terribly, as they were exposed to diseases to which they had no immunity and they died in large numbers. They were driven from their lands, which had sustained them physically and spiritually. Demoralised and degraded, they were coming to be seen as a doomed race.

A proportion of the white population abused them, despised them and coveted their lands. The first British

Governor, Captain Arthur Phillip, was, in the poet Les Murray's words, 'a kindly, rational man', who attempted to develop harmonious relations with the Aborigines. However, he and subsequent leaders failed to bridge the cultural gaps and failed to protect Aborigines from those who tormented them. Likewise, that proportion of the white population who sympathised with the Aboriginal peoples were usually powerless to prevent atrocities on the frontier. Even the judgement of those who sought to help Aboriginal people was often clouded by presuppositions of cultural superiority. There was little knowledge of or value given to Aboriginal languages and belief systems.

As the pastoral industries continually advanced into Aboriginal lands, those in the vanguard of occupation were aware of their isolation and numerical inferiority. Some feared a rising of the tribes and lived with a siege mentality. Any news of Aborigines clashing with whites or interfering with livestock could be a spur to action. With the closest agents of the British law several days' ride away, low level skirmishes gave way to atrocities of which the massacre

Major James Winniet Nunn came from Sydney at the end of 1837 and with a party of about 30 troopers and some volunteer stockmen conducted a murderous campaign extending over 53 days.

at Myall Creek is an extreme, though well documented, example.

## THE EVENTS OF 1837 AND EARLY 1838

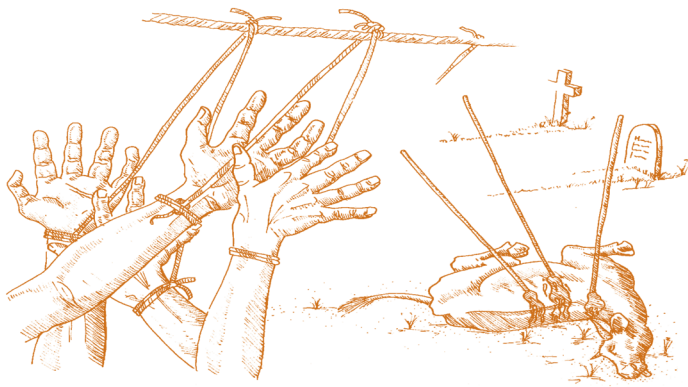
**In the early or middle part of 1837, Myall Creek Station was established by Henry Dangar and became part of his pastoral empire. In 1837 and 1838, the station was managed by William Hobbs, a young freeman from Somerset whose personal staff comprised three assigned convicts: Charles Kilmeister the stockman, George Anderson the hut keeper and Andrew Burrowes, mainly responsible for the horses.**

According to author Roger Milliss, there was a constant fear of Aborigines – real or imagined. All the men went armed when they were away from the shelter of the station. However, there were no Aborigines to be seen and Milliss comments that by mid 1837 the area immediately north of Bingara, extending up to Myall Creek, originally peopled by the Wirrayaraay or Wolroi tribe, may well have been swept clear of its traditional owners.

By 1837 the centre of the conflict had shifted downstream on the Gwydir. There were a number of incidents in which killings of a few white people or livestock resulted in large scale killings of Aboriginal people.

Major James Winniet Nunn came from Sydney at the end of 1837 and with a party of about 30 troopers and some volunteer stockmen conducted a murderous campaign extending over 53 days. In one incident, up to 300 Aborigines may have been killed in a surprise attack at Snodgrass Lagoon on the Waterloo Creek on January 26th, 1838. According to oral history gathered by the late Len Payne of Bingara, the Gwydir exploded in a fresh outburst known as the 'Drive' or the 'Bushwack', at the beginning of May 1838. Towards the end of May or early in June, a large party of Aborigines were reported to have been surprised at dawn in a ravine at the headwaters of Slaughterhouse Creek, with heavy loss of life.

Shortly before this, a group of about 50 Aborigines moved to Myall Creek Station at the invitation of Charles Kilmeister. They had been living at McIntyres – a cattle station about



30 kilometres upstream from what is now Bingara. They had been urged to move by their friend Andrew Eaton, a hut keeper at McIntyres, who feared for their safety. Milliss comments,

*“Everything points to an unusual bond developing between the little clutch of whites and the crowd of blacks who had suddenly descended on them, something approaching real friendship, not just for the enticing of young girls, but for the older men and their children as well – all taking place in the short space of a fortnight or three weeks.”*

*(Waterloo Creek p. 282)*

## THE EVENTS OF JUNE 10–15TH, 1838

**On Sunday morning, ten of the Aborigines, representing just about all of the able bodied males, including ‘King’ Sandy, accompanied Thomas Foster, the superintendent of Newtons, a neighbouring station, to assist him cut bark.**

They arrived about four in the afternoon, only to learn that a party of armed stockmen had visited the previous day

and had plans to go onto Dangars. Foster prevailed upon the Aborigines to return immediately to Myall Creek. By half past four they were on their way. But they were already too late.

About half past three or quarter to four, a group of at least 10 and possibly 12 stockmen came galloping up to the huts of Myall Creek Station, brandishing their guns and swords.

Unfortunately for the Aborigines, who were preparing their evening meal, William Hobbs, the station superintendent, and Andrew Burrowes, one of the assigned convicts, were absent from the station. It is likely that the marauding gang knew this.

The horsemen herded the Wirrayaraay into the workmen’s hut with only two boys aged about eight or nine able to escape. One of the stockmen, John Russell undid a long tether rope from around the horse’s neck, entered the hut with one or two others and began tying the defenceless people’s hands together.

Despite his evening socialising with the Aborigines Charles Kilmeister, one of the station convicts, joined with their tormentors. George Anderson,

Anderson saved a little boy, who had avoided being tethered by the long rope, by pushing him back into the hut when the others were dragged out.

another of the assigned station convicts, refused to join and was later prevailed upon to give evidence against them. He identified John Fleming, the only perpetrator not of convict origin, and John Russell as the ring leaders. Charles Telluce, James Oates, William Hawkins, Edward Foley, George Palliser, Jem Lamb and the mixed-race ex-seaman, ‘Black’ Johnstone, were implicated. Anderson was uncertain about two others, John Blake and James Parry.

Anderson saved a little boy, who had avoided being tethered by the long rope, by pushing him back into the hut when the others were dragged out. Also with Anderson were two Peel River Aborigines, Yintayintin and his brother Knimunga, known by the whites as Davey and Billy, respectively. They were employees of Mr Dangar and regarded in a different light to the group of Wirrayaraay and were not threatened by the gang. When Davey asked for and was given a young woman, Anderson tried to save ‘Peta’ or Ipeta, a striking woman with whom he had had a relationship in the previous few weeks. Perhaps to spite him for not joining them, the gang left him with another young girl.

Anderson later recalled that many of the group of 25 or 30 Aborigines had been given nicknames, including one man named ‘Daddy Daddy’. He was a ‘very old, big tall man’, whom William Hobbs later described as the ‘doctor of the tribe’. He has been spoken of as the clan’s ‘clever man’. Old Joey, Tommy Sandy and his wife Martha and their precocious son Charlie, who was liked by everyone and was William Hobbs’ special favourite, were others Anderson recalled.

The stockmen were deaf to the cries of their victims. Within twenty minutes of first arriving, the mounted men surrounded their frantic captives and they were hauled forward by a man with the end of the rope hitched to his saddle. They headed west from the hut, with Anderson watching until they had disappeared from view over the top of a rise. Two solitary shots were heard 15 or 20 minutes later.

There is no eyewitness account of the killings. About 800 metres from the huts, the defenceless black people were hacked and slashed to death. Only one of the whole clan was spared – John Blake appears to have selected an Aboriginal woman. All of the other Aboriginal people were beheaded and

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their headless bodies were left where they fell. It is thought that the gang spent the night camped out, carousing and recalling their bloody deeds. Meanwhile, Anderson waited at the hut, later claiming to have never visited the site. Davey slipped away and brought back news of what he had seen.

Not knowing what the murderers next move would be, Anderson kept those who had avoided capture with him.

At 10pm, the ten Aboriginal men who had been away at Newton's arrived at Anderson's hut and learned the awful story of what had befallen their kin. They had covered close to 50 kilometres during the day. But now, with Anderson's urging and Davey interpreting they were persuaded to get as far away from the station as possible.

By 10.30pm, the ten men, two women and three boys headed off into the night, towards MacIntyres.

### THE MURDERERS' RETURN

On Monday afternoon, the murderers returned to Anderson's hut and spent the night there and, on Tuesday

morning, set about burning the bodies of their victims.

Kilmeister was deputised by Fleming to mind the fire during the day. The remaining murderers set out to find the Aborigines they had missed.

### SUBSEQUENT MASSACRES

It appears that the group of Aboriginal men reached MacIntyres on Wednesday, June 13th and that, no sooner had they arrived than the stockmen caught up with them.

It is thought that they had tracked the group with the assistance of Billy, whom they had coerced. Most of the group were found and murdered.

Worse, it seems likely that the murderers were guilty of another outrage near MacIntyres, even more horrific than that at the Dangars. From reports gathered by the missionary, Lancelot Threlkeld, between 30 and 40 Aborigines were murdered and their bodies cast onto a triangular log fire.

An woman's throat was reported to have been cut; she was allowed to run with blood spurting and then was thrown

alive onto the fire. Her infant child was thrown alive onto the fire. Two young girls were mutilated by the gang.

It is likely that after these events, the stockmen were involved in several days of heavy drinking and their party dispersed on Friday, June 15th 1838.

### AN OUTRAGE REVEALED

On the same afternoon, Dangar's superintendent, William Hobbs, returned to Myall Creek, having already gained some information about what had occurred in his absence.

He questioned Anderson and accepted Kilmeister's denial of complicity.

He was then guided by Davey to the site of the massacre, noting footmarks and tracks of horses cast hard in the soil after recent rain. At least 20 separated heads and a mass of bodies were together in a haphazard pile. The stockmen's attempt to burn the bodies had failed because of the damp wood.

Hobbs spent between fifteen and twenty minutes at the site, becoming at one stage stricken with nausea.

The next morning, Hobbs and Thomas Foster inspected the site for a briefer period.

The men agreed that the atrocity should be reported and Hobbs undertook to inform his employer, Dangar. He did, though, let it be known that he was going to report it to the authorities as well.

By Sunday, June 24th, Frederick I. Foot, a landholder, set off to Muswellbrook to report the matter to the nearest police magistrate, Edward Denny Day. Missing Day, he travelled on to Sydney and, on July 4th, wrote an account of the incident for the attention of Governor Gipps.

Governor Gipps, only in the colony four months and anxious to implement British Government instructions to protect Aborigines, gave the report precedence over other matters, including an inquiry into Major Nunn's activities. Edward Denny Day, supported by a party of mounted police, was instructed to institute a strict inquiry and to apprehend all those responsible.

## THE INVESTIGATION

**Denny Day probably left Muswellbrook on Thursday, July 19th, and his expedition occupied 47 days.**

On Saturday, July 28th, having spent time gathering witnesses and seeking suspects named by Foot, he opened his inquiry, with Foster as the first witness. That afternoon, Day visited Myall Creek Station with Hobbs and inspected the site.

However, there were remarkable changes to what Foster had described to Day that morning. The site of the massacre gave the appearance of having been swept, though there were fragments of bones and the remains of the fire. Day took charge of part of a lower jawbone, a child's rib and a number of teeth.

It is thought that, in the intervening six weeks since the massacre, the murderers and perhaps some accomplices, returned to relight the fire and destroy evidence.

That evening, Day ordered Kilmeister taken into custody on suspicion of involvement and set about hearing Hobbs' account. Then it was Anderson's turn. He implicated Kilmeister for the first time.

Following persistent interrogation of Burrowes, Day identified ten suspects, four of whom he had in custody. In the ensuing days, the magistrate travelled widely through the area, taking evidence and seeking suspects. He missed the freeman, Fleming, at Mungie Bundie Station on the Gwydir River. Fleming was never captured. It is thought that he returned to his parents' home on the Hawkesbury river, near Sydney.

By Wednesday August 8th, Day and the mounted police had gathered ten suspects. George Anderson was now questioned further and he was now prepared to identify eight of the men as belonging to the murderous party. Day charged Blake on the strength of information from other witnesses.

The prisoners walked for about 300 kilometres under guard and in chains to Muswellbrook, in the Hunter Valley, arriving on September 10th. Within a week, all but one were under lock and key in Sydney. During the trip through the Hunter, John Russell escaped, but was recaptured by mid October.

In the aftermath of his inquiry, Day wrote to two landholders concerning lack of supervision of convicts on

**An attempt to form an Aboriginal Protection Society was short-lived. By early November, public opinion was running in favour of the accused.**

some of their holdings, which, it is thought, contributed to the massacres. Roger Milliss is critical of Day for not exposing the extent of the attacks by whites on Aboriginals in the area he had investigated.

## THE LEAD UP TO THE TRIALS

**In the Hunter, Day's investigation and the arrival of the prisoners attracted wide interest.**

A fund was set up to defend the prisoners and landholders met to lobby the Governor. Soon, a vociferous campaign erupted over the trial of the Myall Creek men. It is thought that a clandestine organisation of Hunter Valley landlords, many of whom also had holdings in the North Western Districts, were the driving force in this campaign.

In September of 1838, Mr. Robert Scott, a prominent landholder on the Hunter and on the Gwydir (an area close to Myall Creek), visited the prisoners in the Sydney gaol and told of his plans to finance their defence. He said that the one witness against them was insane and they should hold together and not inform

on each other. In early October, Henry Dangar visited Myall Creek Station and dismissed William Hobbs. However, Dangar insisted Hobbs complete his contract by mustering some 500 cattle. But when Hobbs received a subpoena to appear as a witness in the coming trial, he responded to that duty above other concerns.

Meanwhile, in Sydney, controversy raged in the press and in public meetings.

An attempt to form an Aboriginal Protection Society was short-lived. By early November, public opinion was running in favour of the accused.

## FIRST TRIAL – NOVEMBER 15TH, 1838

**Chief justice James Dowling presided in the Supreme Court, with the prosecution led by the Attorney-General, John Hubert Plunkett. Seated with the three defence lawyers was Mr Robert Scott.**

The charges against the eleven accused dealt with the killing of one Aboriginal male, 'Daddy' and one other. In Milliss' words, the charges were couched

Further witnesses...agreed that the bone fragment consisted of a jawbone with two teeth, several other burned teeth and a rib bone, apparently from a child.

in 'legal gobbledygook gone utterly mad'. But they could not conceal the fact that the whole accusation was based on extremely tenuous circumstantial evidence.

There was no observer of the crime and no body had been recovered. The accused pleaded not guilty.

Thomas Foster, the first crown witness, was circumspect. Hobbs was more forth-coming, but had to concede that he could not positively identify the body of Daddy.

In essence, Edward Denny Day's evidence amounted to his having come across the traces of an old fire and picking up a few fragments of bones. He was not cross-examined.

The defence tried to destroy Anderson's credibility, firstly by reference to Anderson's request that Ipeta be left for him. His reluctance to provide information was raised with the suggestion that he was seeking his liberty by giving evidence favourable to the prosecution. When his contract in the colony and reason for deportation were raised, however, he stood up for himself and had the better of the exchange.

Further witnesses included a dentist, who agreed that the bone fragment consisted of a jawbone with two teeth, several other burned teeth and a rib bone, apparently from a child.

The defence case first sought, unsuccessfully, to have the prosecution disallowed on the grounds of circumstantial evidence. Then, surprisingly, instead of calling in their 30 witnesses the defence only called for testimony as to the good character of their clients. Dangar supported Kilmeister and attacked Anderson.

In his summing up, Chief Justice Dowling said that no-one could be convicted of murder unless a body was found. Therefore the jury had to determine whether 'Daddy' was the 'unfortunate man' whose remains Hobbs has seen.

The jury filed out of the courtroom at 9.30pm and were back within 15 minutes. To the cheering in the court, all the accused were pronounced not guilty. However, Attorney General Plunkett immediately asked that the prisoners be remanded, as he wished to prepare another indictment. To hissing, Dowling granted the application.

Two days later, the date of the second trial was set for Monday, November the 26th.

Much of the publicity following the first trial expressed revulsion at the facts that had been revealed. For once, attacks on Aborigines in sections of the press briefly abated. Instead, there were attacks on Governor Gipps, who, it was said, contributed to public ill feeling against Aborigines by not ordering stronger measures against Aborigines. New waves of 'attacks by lawless savages' were reported from the Gwydir area.

## THE SECOND TRIAL

**Judge William Westbrooke Burton presided in the second trial. Only seven of the original group were accused – Kilmeister, Oates, Foley, Parry, Russell, Hawkins and Johnstone. Plunkett hoped that the defence would put the others, Lamb, Palliser, Telluse and Blake on the stand for cross-examination.**

The charges now centred on the killing of an Aboriginal child. A total of 20 counts were alleged, including five that nominated a precise victim, 'Charley'.

A jury was sworn and asked to decide whether the prisoners had previously been tried for the murder of an Aboriginal child. When the jury decided in the negative, the trial recommenced on November 29th, before another jury.

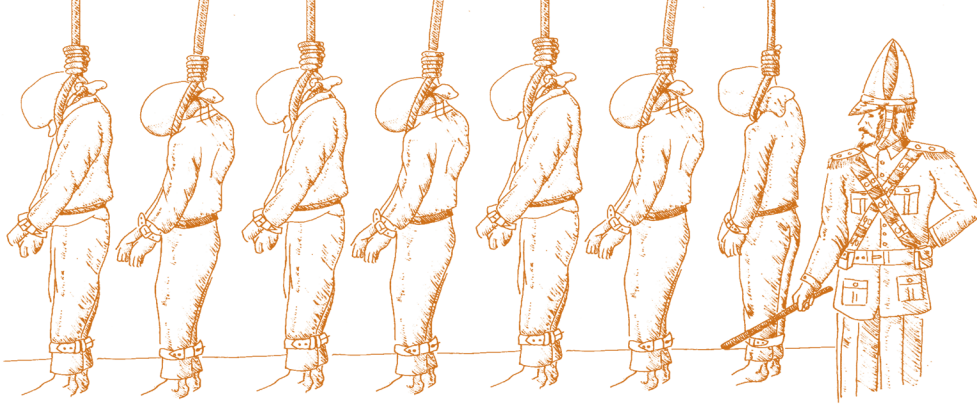
Thomas Foster was again the first witness. He firmly believed that none of the skulls he saw were those of children. Hobbs, as a second witness, gave definitive evidence concerning the presence of children. He said that the children's skulls were in the centre of the mess and Foster had not examined as closely as he.

On leaving the witness box, Hobbs was arrested for failing to settle an outstanding debt. This appeared to be an attempt to hinder justice and the over zealous bailiff was fined two pounds for contempt of court.

Next, Day repeated his evidence and suggested that Kilmeister had perhaps been coerced by other members of the group to join them in the atrocity. Anderson weakened the crown case as he was unable to swear that Charley had been taken away.

## SOCIAL INFLUENCES

## The Wider Historical Content



The defence began by stating that it was not even certain that the boy had been killed, but Burton ordered that the trial should proceed. The defence went straight to character witnesses, Dangar being first. As before, he supported Kilmeister and attacked Anderson. Plunkett sought to undermine Dangar's credibility by drawing attention to his suspension from a public office. He was questioned about his dismissal of Hobbs, about Hobbs' wrongful arrest and about Dangar's contribution to the prisoners' defence fund.

The following witness, Thomas Hall, was discredited when he had to admit that he visited the northern stations only twice a year. There were no further witnesses.

In his summing up, Burton directed that the jury should first consider the question of Charley separately. He was scathing in his assessment of Dangar and noted that the murdered Aboriginals had given no provocation. Masters, he said, should ensure that their stockmen used arms only in extreme provocation.

The jury filed out and returned after three quarters of an hour with the foreman pronouncing the defendants 'not guilty' on all counts. However,

when he sat down, another juror rose and announced an error. He said the men had been found guilty of the murder of an Aboriginal child whose name was unknown.

This agreed, the judge complimented Hobbs on the part he had taken to report the murder.

## EPILOGUE

**The seven convicted were executed at 9am on December 18th, 1838. Governor Gipps fought a losing battle with the squatters and his commitment to justice for Aboriginals waned. Major Nunn's activities on the Gwydir were never investigated. Henry Dangar's pastoral holdings grew. William Hobbs was unemployed for several years before becoming a constable at Wollombi in 1846.**

The murderous attacks on Aboriginals, including the use of arsenic and other poisoning, by European settlers continued on the frontiers well into the 20th century.

162 years after the massacre a Memorial to the Aboriginals of Myall Creek was dedicated on June 10th, 2000.

**What makes the Myall Creek Massacre story of such significance is that it contains many of the major themes of Australian history.**

It illustrated the continuing dilemma of the treatment of Aboriginal people and the lack of recognition of their rights and traditional customs. It showed that the national prosperity originally built on sheep and property had some very sad consequences. The trial and executions showed the strength and weaknesses of the Rule of Law. It also demonstrated the difficulties in establishing a government imposed colony rather than those in the United States based on free emigrants with a strong religious base. It could also be said that those who were hanged or murdered were the victims of property expansion whose owners were safely ensconced elsewhere.

## THE BRITISH INFLUENCE

**Australia, from its colonial birth, was a government-managed penal colony, subject to the policies of the government of the day and the Colonial Office, who administered them.**

Until 1843, with the establishment of a partly elected NSW Legislative Council, the British Government determined how life should be conducted in Sydney Cove and its expanding districts. For nearly 50 years Britain had been ruled by a Conservative Government, and eventually in 1830 a more liberal Whig government came to power and remained in power till 1841. All through the 1830's this shift in the political wind permeated through the policies toward transportation, the electoral franchise and the native peoples in their colonial possessions. Most significantly, the Select Committees on Native Tribes said that Aboriginal people had 'a plain and sacred right to their own soil'. Each Governor since Arthur Phillip had been provided with similar instructions. However now there was a more sympathetic government. The Secretary for the Colonies, James Stephen, who had had a long association with the anti-slavery movement, determined

## Plunkett not only introduced equality before the law for Aboriginal people in 1836 but also pursued a career-long campaign for the acceptance of evidence by Aboriginal people in criminal trials.

the new Governor should act on these instructions. This led to the appointments of the new Governor of NSW, Sir George Gipps (1837–1846), and a new Attorney General, John Plunkett (1836–1856), the first Roman Catholic to be appointed to senior office in the colony. Plunkett not only introduced equality before the law for Aboriginal people in 1836 but also pursued a career-long campaign for the acceptance of evidence by Aboriginal people in criminal trials.

The winds of change however had not blown through all the ranks of government. Just prior to the arrival of Gipps, acting Governor, Lieutenant Colonel Kenneth Snodgrass had commissioned Major Nunn to organise a force 'to suppress outrages in the Namoi Gwydir region'. Nunn's expedition cut a bloodthirsty swathe across the north-west, for which he was warmly congratulated by the press, the squatter fraternity and elements in the government including Snodgrass. It was in this setting that the actions of Gipps, Plunkett and Denny Day were endeavouring to bring justice for Aboriginal people in New South Wales, following the Myall Creek Massacre.

### THE EXPANSION OF THE SHEEP LANDS

**Initially, New South Wales survived as a colony on the exports of whale oil and seal skins but was soon looking for an economic reason to exist.**

It became evident that Australian wool was superior in quality to British, Spanish and German wool and this, coupled with perceived limitless acres of land and the availability of assigned convict labour who could work as shepherds and hutkeepers, directed the economic future of the colony.

With the recovery of the British economy after 1828, investment poured into Australia. The price of wool increased all through the 1830's and peaked in 1837 eventually collapsing in 1839–41. The agricultural property boom starting about 1834 was well under way in 1838, to reach its peak in 1840. With the speculative mindset well and truly in place by 1838 the development of the land now known as the New England, was undertaken by many of Scottish descent who through the Highland Clearances of 1811 were not unfamiliar with the removal of

people unable to protect themselves, so that sheep could flourish.

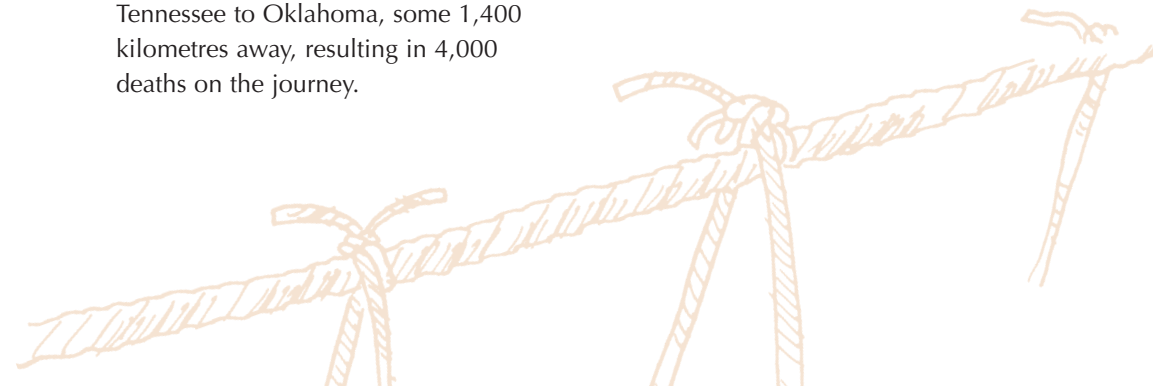
So while wool had a dramatically beneficial effect for the Australian economy, it came at a great cost. It led to the forced removal of Aboriginal people from their traditional lands and numerous massacres which continued well into the 20th century.

### A GLOBAL EXPERIENCE

**The Australian experience was not unique. 1838 was a year in which a whole range of events illustrated the world in which the massacre took place.**

In June 1838, the 'Trail of Tears' commenced when 16,000 Cherokee Indians were escorted by the US Army from their traditional lands in Georgia, Tennessee to Oklahoma, some 1,400 kilometres away, resulting in 4,000 deaths on the journey.

This was done by the United States Government despite a Supreme Court ruling affirming their rights to occupy their own land. In South Africa, December 1838 saw the 'Battle of Blood River', where 3,000 Zulu warriors were killed by an armed group of Boers. This battle, in the third year of 'The Great Trek', outside the agreed limits of settlement, was enshrined in Afrikaner history and was extolled during the days of Apartheid. 1838 was also the year that Charles Dickens published 'Oliver Twist', illustrating the squalor and poverty that existed in England with the onset of the Industrial Revolution. It illustrated the social conditions and the way crime increased in England over the century to 1838 and the circumstances in which the convict population had left England.



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 THEY CAME FROM ACROSS THE SEAS
 

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## Timeline History

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- 1770** East Australia was claimed by Captain Cook for the United Kingdom. Cook's order stated 'with the consent of the natives, take possession of convenient situations in the name of the King or, if you find the country uninhabited, take possession for His Majesty'.
- 1788** New South Wales founded as a British penal settlement.
- 1820** Macquarie issues a government order permitting limited grazing at Goulburn and Breadalbane marking beginning of the graziers movement inland.
- 1825** Secretary of the Colonies removes ban on unauthorised immigration.
- 1828** Establishment of Demarcation Proclamation which orders out all Aboriginal people from settled districts in Tasmania.
- 1829** Governor Darling proclaims 19 counties of NSW, redefining the limits of location beyond which settlement was prohibited.
- 1830** Earl Grey, first Whig (*liberal*) Prime Minister in Britain since 1807.
- 1831** British Government orders end to the land grant system and imposes price per acre. This increased pressure for squatters to take up land outside the 19 Counties in defiance of colonial authority.
- 1832** British Reform Act doubles number of voters.
- 1833** Abolition of slavery throughout the British Empire.
- 1836–37** Reports of United Kingdom Parliamentary Select Committee on Native Tribes in Africa, Australasia, Pacific Islands, South America, West Indies and North America. The Committee states that the Aboriginal people had a 'plain and sacred right to their own soil'.
- 1837–39** Severe drought in New South Wales.
- 1838** G A Robinson appointed first Chief Protector of Aborigines with headquarters at Port Phillip (*four Assistant Protectors, all located in what is now Victoria; NSW Protector appointed 1880*).

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 PART II
 

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## Timeline for the Creation of the Memorial

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### JANUARY 1965

Len Payne, a Bingara resident, proposed the erection of a memorial in the memory of those who died. "Memorial to be erected at Myall Creek" ran an article the Bingara Advocate, describing Payne's desire to construct a memorial using the hinges and slip rails from Myall Creek stockyards. The monument would take the form of a symbolic gate, suspended from a concrete pillar, on the site of the massacre. However the following week in the Bingara Advocate a letter condemned Len's proposal, saying "the whole idea is ill conceived, unconsidered and mischievous and an insult to the Bingara people." Len's letter in reply was refused publication. The Apex Club decided against supporting the memorial, and the idea was banished.

### 1980'S

Len with others every June 10 laid a wreath at the site. Len never lost hope that one day a memorial would be built and up until his death in 1993 he continued to visit the site

### OCTOBER 1998

A conference on reconciliation convened by the Uniting Church was held at Myall Creek on the invitation of Sue Blacklock a descendant of those who survived the Massacre. A number of concerned local people joined the conference. By the end of the meeting, the group decided to erect a permanent memorial. The Myall Creek Memorial Committee was later formed to carry out the proposal.

### 20 FEBRUARY 1999

The grounds for erecting the memorial were established:

*If we and our descendants are to live in peace in Australia then we have to tell and acknowledge that truth of our history. It is not that all of our history is bad, but the bad must be acknowledged along with the good, if we are to have any integrity. There is a code of silence surrounding the massacres.*

*We want Australia to be an inclusive society, where Aboriginal and non-Aboriginal are honoured and respect each other. This cannot happen until the history includes the stories of how Aboriginal people as well as non-Aboriginal people experienced the history.*

The descendants of those massacred at Myall Creek were unanimous in their support for a project involving both Aboriginal and non-Aboriginal people.

*We owe it to those who died defending their country and families, or died as innocent victims of vengeance, to create a memorial which reminds us of their part in our common history.*

*It is important to acknowledge the people who acted for justice in the story: Mr Hobbs, the manager of Myall Creek Station; Edward Denny Day, the officer who investigated the crime and others. The fact is that for the first time, the perpetrators of such crime in this country were brought to justice.*

*We are not pointing the finger at the people of Myall Creek or Bingara. The massacres went on all over the country.*

#### 10 MARCH 1999

The descendants of those massacred at Myall Creek were unanimous in their support for a project involving both Aboriginal and non-Aboriginal people. The meeting decided on the site for the memorial.

#### 1 MAY 1999

In a meeting including many elders from throughout the region, Sue Blacklock

spoke of having a simple memorial. A large granite rock was suggested. The Rural Lands Protection Board gave permission to use part of the travelling stock route for the Memorial. Bingara Shire Council gave enthusiastic support. A grant was sought. Architect Tim Shellshear developed sketch plans.

#### 29 JUNE 1999

It was decided the memorial “is also for the purpose of reconciling Aboriginal and non-Aboriginal people”. The wording and art work for the plaques was discussed and publication of a booklet about the massacre planned.

#### 6 OCTOBER 1999

A further grant was sought through Heritage 2000.

#### 4 DECEMBER 1999

The first grant was successful. The wording of the plaques was considered in great detail. The opening of the memorial would be on June 10, 2000.

#### MARCH 2000

The Local Symbols of Reconciliation Project grant was successful.

The Walkway at the Memorial is a winding path representing, for Aboriginal people, the Creator Rainbow Serpent which wandered across the earth, forming the features of the landscape.

A granite rock weighing many tonnes was located. State Forest gave permission to move the rock and Transfield offered to move it. When the rock thudded into place, the Memorial was at last tangible

In the words of Paulette Hayes speaking on behalf of the Myall Creek Memorial Committee at the opening of the Myall Creek Memorial, June 10th, 2000:

*“We started out as a group of strangers from all around this area, all united in a common ideal of truth, justice and reconciliation. As the meetings progressed, we became closer. I can remember the days when we all sat around the large table at lunchtime and shared our food amongst us...*

*“It was a memorable day when Des Blake, a descendant of one of the perpetrators, arrived at our meeting. We had not expected to hear from any of these descendants, but months later another descendant, Beulah Adams, came to a meeting. When she and Sue Blacklock hugged, we all felt we had really taken a step into the future.”*

*“Very soon we will all take a journey together. We will walk up the hill and*

*along the serpentine path together, and as we walk down towards the rock, we will read about the massacre that happened here 162 years ago today. And as you walk, I ask only this of you. Think about those who died, speak to them, say a prayer for them, remember them. And as you return back along the path, take a stranger by the arm and walk back in peace, knowing that today you have taken a very big step towards justice, truth and reconciliation.”*

The Walkway at the Memorial is a winding path representing, for Aboriginal people, the Creator Rainbow Serpent which wandered across the earth, forming the features of the landscape.

The Memorial Rock is surrounded by crushed white granite, white being the colour of mourning for Aboriginal people. The red gravel walkway reminds us of the blood that was shed in the massacre.

The Memorial Rock was surrounded with stones brought from all around the country, acknowledging that this history is part of the history of each one of us, and symbolises the commitment of each of us to truth-telling and reconciliation.

SATURDAY 10 JUNE 2000

## The Reconciliation Opening Ceremony

At the memorial participants remembered, acknowledged our shared history, grieved, and committed ourselves to reconciliation.

### WE REMEMBER

“We are descendants of, and represent, all those who carried out murder and mayhem on the slopes below” – *Beulah Adams and Des Blake*

“We are descendents of those who survived the massacres” – *Aunt Sue Blacklock and Uncle Lyall Munro Senior*

“We acknowledge this our shared history. We seek reconciliation between our peoples, and healing of the wounds of the past.” – *All*

“This is the history of every one of us; we are all heirs and survivors, beneficiaries and victims of its injustices and misunderstandings. We too want reconciliation and healing” – *All participants, as the four embrace*

### WE ACKNOWLEDGE

- that violence continued at places all over the country for 140 years
- that it was all part of the taking of the land without negotiation or payment
- that Aboriginal people rightly defended their land, families, culture and heritage
- that there was a war between laws, cultures and belief systems
- that this oppression continues into the present in the disrespect for Aboriginal culture
- that history is still largely told from the view of non-Aboriginal people

### WE GRIEVE

- the lack of respect and negotiation in taking of the land
- the destruction of language and culture
- the breaking up of families and the forced separation of families

Aunt Sue Blacklock and Beulah Adams dedicated the monument “to the telling of our shared history, and to the reconciliation of our peoples.”.

### WE COMMIT OURSELVES

- to a just reconciliation
- to tell the truth to our children and grandchildren
- to search for more respectful, equitable and just ways of living together in the land, where a person’s lot will no longer determined on the basis of their ancestry or skin colour, where the history of 60,000 years is honoured together with the history of the last two centuries, where the glorious parts of that history are celebrated with pride, and the dishonourable parts are acknowledged with shame.

**Aunt Sue Blacklock and Beulah Adams dedicated the monument  
“to the telling of our shared history, and to the reconciliation of our peoples.”**

*Acknowledgments were made to:* The work of the Committee, the Bingara Shire, Colin Isaacs (artist of the plaque illustrations), R F Gaites, Armsign, Phoenix Foundry, the Uniting Church, Transgrid, Transfield, the Heritage 2000 Fund and the special Ministerial grants of the New South Wales State Government, the Myall Creek Hall Committee, the Myall Creek Country Women’s Association, the Local Symbols of Reconciliation Project, including CAR, DIMA, COF, ATSIC, and ALGA.

*Acknowledgments are also made to:* The NSW Reconciliation Council grant to re-publish this booklet at the time, the Department of Aboriginal Affairs Tamworth for the website grant, the Department of Environment and Conservation for the interpretive sign and visitors book, Willoughby Council for road signage, the Sydney Che-il Korean Uniting Church for their generous donation and to Gwydir Shire Council and the local people for their wonderful assistance and ongoing support.

## The Memorial Plaques

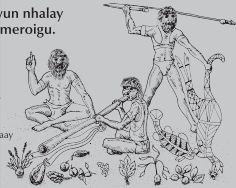
### Dhiirranhi Ngiyani Ganunga

WE REMEMBER THEM

#### Ngurrmbaa dhawun nhalay Wirrayaraaygu Gomerougu.

From time immemorial, the Wirrayaraay tribe of the Gomerai lived here, caring for the land and harvesting the animals, fish, root crops, grains and fruits in a seasonal cycle.

The identity of the Wirrayaraay derived from their spiritual relationship with the land.



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### Dhiirranhi Ngiyani Ganunga

WE REMEMBER THEM

#### Yilaa Wanda dhaay yananhi ngaragay nguru dhimba milambaraay gaanhi.

In the 1830s European squatters began to send their servants into the district to establish cattle and sheep stations, occupying the land and using its grass and water resources to feed their stock.



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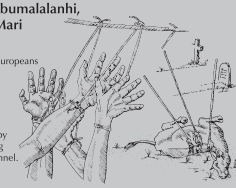
### Dhiirranhi Ngiyani Ganunga

WE REMEMBER THEM

#### Yilaa Mari Wanda bumalalanhi, balunhi burrulaa Mari gulbirr Wanda.

Conflict soon arose as the Europeans forced the Wirrayaraay off their ancestral lands, drove them away from creeks and waterholes and seized Aboriginal women.

The Wirrayaraay retaliated by spearing stock and attacking the stations and their personnel. Revenge killings began.



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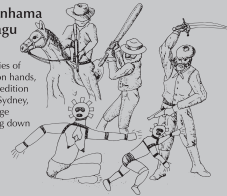
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### Dhiirranhi Ngiyani Ganunga

WE REMEMBER THEM

#### Yilaa burrulaa Mari nhama gandjibalu, bawurragu balubumay.

Towards the end of 1837 parties of European stockmen and station hands, encouraged by a punitive expedition of Mounted Police sent from Sydney, embarked on a bloody rampage throughout the region, hunting down and killing any Aboriginal people they could find. Hundreds of Aboriginal people were slain.



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WE REMEMBER THEM

#### Gulbirr Mari Wanda maliyaa ginyi.

In May 1838 a band of Wirrayaraay people took refuge from this onslaught on Myall Creek station below, at the invitation of one of the station hands.

For the next few weeks they lived in peace around the station huts, and convivial relations were developed between them and the four-man staff.



### 5. Gulbirr Mari Wanda maliyaa ginyi.

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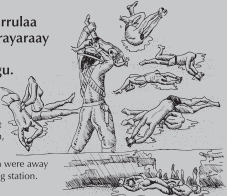
### Dhiirranhi Ngiyani Ganunga

WE REMEMBER THEM

#### On 10 June 1838 burrulaa bilaardhalibaa Wirrayaraay yinarr, gaayli, mari balubumay Wandagu.

On 10 June 1838, a gang of stockmen led by a squatter rode into Myall Creek Station and brutally murdered at least twenty-eight unarmed women, children and old men.

The younger Wirrayaraay men were away cutting bark on a neighbouring station.



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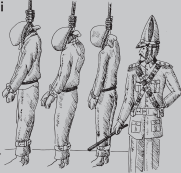
### Dhiirranhi Ngiyani Ganunga

WE REMEMBER THEM

Gabamandu Wanda gagil nhama balubumay, Wandagubala burrukaa Mari balabumaldanhi.

Eleven of the twelve men who carried out the massacre were arrested, tried and acquitted. In a second trial seven of them were found guilty and executed. The squatter involved was never brought to trial. This was the first time that white men had been executed for murdering Aboriginal people.

However this did not end the massacres. They continued throughout the continent, often unreported, at least until the 1930s.



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### 8. Dhiirranhi ngiyani ganunga.

In memory of the Wirrayaraay people who were murdered on the slopes of this ridge in an unprovoked but premeditated act in the late afternoon of 10 June, 1838.

Erected on 10 June 2000 by a group of Aboriginal and non-Aboriginal Australians in an act of reconciliation, and in acknowledgement of the truth of our shared history.

**We remember them.**

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DHIIRRANHI NGIYANI GANUNGA.  
We remember them.

MYALL CREEK MASSACRE – WE REMEMBER THEM

## Further Reading

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# Dhiirranhi ngiyani ganunga WE REMEMBER THEM



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Cover illustration and Memorial pathway plaque illustrations courtesy of Bidjigal and Dharawal Elder and Myall Creek artist-in-residence Colin Isaacs. [www.newagemultimedia.com/isaacs/](http://www.newagemultimedia.com/isaacs/)

**MYALL CREEK MASSACRE MEMORIAL AND CULTURAL PRECINCT**  
2300 Whitlow Road, corner Bingara-Delungra Road, Bingara NSW 2404

For an immersive audio walk of the Myall Creek Memorial pathway,  
please download the Myall Creek Soundtrail at [www.soundtrails.com.au](http://www.soundtrails.com.au)

[www.myallcreek.org](http://www.myallcreek.org)



  
sydney friends of  
myall creek

  
armidale friends of  
myall creek

  
BINGARA NSW  
*myall creek*  
our shared history