

LA TROBE AND THE BUREAUCRATS:

How the Best of Intentions Failed to Protect the Aboriginal People of Port Phillip

by

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ABBREVIATIONS

<i>ADB</i>	<i>Australian Dictionary of Biography</i>
<i>HRA</i>	<i>Historical Records of Australia, Series 1</i>
<i>HRV</i>	<i>Historical Records of Victoria</i>
<i>ODNB</i>	<i>Oxford Dictionary of National Biography</i>
PRO	Public Records Office London
PROV	Public Record Office Victoria
V&P	<i>Votes and Proceedings of the Legislative Council, New South Wales</i>
SLV	State Library of Victoria

CONVENTIONS

Except where they appear in quotation marks, all references to Aboriginal names and languages use the spelling set out by Ian Clark in his book *Aboriginal Languages and Clans: An Historical Atlas of Western and Central Victoria, 1800-1900*.

Where quotes have been taken from original manuscripts I have expanded abbreviations and symbols. Where an accurate expansion of abbreviated words was in doubt I have put square brackets around the inserted letters so show this editing.

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PREFACE

The account I present here is an administrative and necessarily white history of the Port Phillip Aboriginal Protectorate. I make no claim to represent Aboriginal people or to have written on their behalf because as a non-Aboriginal historian I do not believe it is appropriate for me to do so. I hope, instead, that I have made a contribution to our understanding of the British Government's motives to which Aboriginal people can add their own stories of this time. History is a cooperative venture in which we all share and to which we all contribute irrespective of skin colour or heritage. I could not have completed this work without all the writers, storytellers and historians who have considered this subject before me and to them I give my thanks and appreciation.

For most of us it is difficult to fully comprehend the irrevocable impact of colonisation on the Aboriginal people who were alive at the time. The European colonisation of Australia remains an event that haunts our political and cultural landscape shaping contemporary views of Aboriginal people. Ultimately, there are many ways to look at the past and no definitive 'truth' only the desire to seek answers through the rigorous collection and analysis of evidence and an earnest attempt to transcend our own cultural biases to understand the lives of others.

INTRODUCTION

In the late 1830s the sea voyage from London to Sydney took three to four months as ships sailed from Portsmouth to Botany Bay via the Canary Islands, Rio de Janeiro, the Cape of Good Hope, around the southern part of Van Diemen's Land (Tasmania) and up the eastern coast of Australia. The route for the first part of the trip was a well-established sea journey that aimed to 'follow the currents, sail before the winds and follow the paths of seabirds'.¹ For the passengers and sailors aboard ship the journey was also an extremely perilous one. While the route to the Cape of Good Hope was well-known, the passage across the Southern Indian Ocean and Southern Ocean to the Van Diemen's Land coast was particularly treacherous. The winds that gusted across the great expanse of ocean from the Cape to the Australian shores, nicknamed the 'Roaring Forties', were excessively strong making the waves large and unpredictable. In the storms that followed the sea battered the sides of ships and water crashed over deck making life for those on-board a desperate struggle for survival for hours or days on end. The resulting lack of hygiene was a huge problem and disease spread rapidly in the confined spaces. Water invaded every nook and cranny below deck leading to spoiled food supplies and freezing conditions. The decision to make such a trip was done voluntarily either in ignorance, desperation or with a strong sense of purpose. In any case the voyage was a test of endurance and for many in the nineteenth century, a test of faith.

For the well-educated and staunchly religious Charles Joseph La Trobe the sea journey to Australia was definitely in the latter category. On 3 October 1839 La Trobe arrived in Melbourne from London via Sydney after the British Colonial Office appointed him

superintendent of the newly created Port Phillip District of the Colony of New South Wales (now called Victoria). He was to represent the British Government as their highest authority in the District managing its development and burgeoning immigrant population. The position was one of considerable social status with an income of 800 pounds a year.² To take up his post as a colonial administrator La Trobe had travelled thousands of miles spending one hundred and twenty three days at sea with his wife Sophie and young daughter Agnes, who was only a toddler. He was thirty-eight years old and a man who keenly felt his separation from society at home. He wrote to his friend John Murray: 'You, my dear Sir, 16,000 miles from civilization, and cannot imagine what it is to be cast so far beyond the reach of the thousand daily means of improvement and enjoyment which they possess who breathe the air of Europe'.³ The decision to venture to the Australian shores was not taken lightly by La Trobe nor was he without trepidation about the future - so what was it that drew him to Australian shores?

La Trobe's motivation for accepting the post of superintendent was born of practical, worldly considerations in the form of the need for employment, but he was also substantially driven by his spiritual aspirations.⁴ In La Trobe's mind the role of superintendent had the potential to reach far beyond that of a mere administrator of public affairs and settlement. In Port Phillip, a British colonial outpost on the edge of the 'civilised' world, La Trobe had an opportunity to impress upon the immigrant population the importance of Christian morality in what he thought of as a dissolute and largely heathen country. When La Trobe arrived, Melbourne was still a small, frontier town marred by 'quarrels between settlers; drunkenness and disorder'.⁵ European residents were 'overwhelmingly former convicts' often of 'dubious background'. Few of the

individuals who had brought sheep across the water from Van Diemen's Land or overland from further north to graze on the extensive grasslands around Port Phillip Bay had yet decided to live in the District. Instead most livestock owners left the management of their sheep to their employees - shepherds and farm hands from the working classes. Of the twenty eight people who owned sheep herds grazing in Port Phillip in 1836, twenty two were acting as agents 'for other people or were in partnership with one or more other persons'.⁶ At this early stage of settlement the Port Phillip District was little more than a 'grazing annex to Van Diemen's Land'.⁷ In 1837 Captain William Lonsdale, appointed by the Governor of New South Wales as the first Police Magistrate and commandant of the Port Phillip District the year before, complained that very few 'respectable' or 'desirable' members of the community were immigrating to the District.⁸ The reason for this was probably as much to do with the lack of facilities as the perceived objectionable company. Conditions were harsh, squalid even, and terribly unhygienic. Housing was initially provided by tents and then the slightly more substantial buildings of wattle and daub or turf huts. Public nuisances were 'innumerable' and there were few repercussions for the individuals who engaged in them as the legal system was largely ineffectual. Lonsdale set up the Melbourne Magistrate's Court promptly after his appointment and the records from these early years give an impression of the extent of the lawlessness at this time:

In 1838, out of an average free population of rather over a thousand in Melbourne town, another six hundred-odd in Melbourne district and rather more than three hundred convicts, no less than 352 free men, 12 free women and 76 convicts were convicted of drunkenness according to the Melbourne Court Register.⁹

Perhaps even more importantly than bringing the Christianising mission to white immigrants who had lost their way was, for La Trobe, the conversion of the ‘native’ population. On his journey to Australia he included in his luggage four hundred bibles, a gift from the British and Foreign Bible Society given to him on the eve of his departure from London.¹⁰ A Moravian with deeply held religious convictions, the Superintendent had a self-appointed role to spread the word of God in the fledgling township of Melbourne and the bibles were the tools of his trade. La Trobe earnestly believed that conversion to Christianity was the only way Aboriginal people could be saved, not just from the horrors that awaited the unbeliever after death but also from the more immediate threat of racial extinction.¹¹

Over the first twenty years or so of European settlement in Port Phillip the number of Aboriginal people in the District dropped significantly due to conflict with settlers but also as a result of the spread of European diseases, a low birth rate and aggression between Aboriginal groups. Citing a statistic for the Aboriginal population in Port Phillip before the arrival of Europeans is extremely challenging, as is quantifying the decline in population. As renowned historian A.G.L. Shaw stated about the high mortality rates for Aboriginal people at this time, ‘it is really impossible to say how many died and why’.¹² Consequently, historians differ in their estimates of the decline of the Aboriginal population. Richard Broome suggests that a small pox epidemic just before the settlement (sometime between 1790 and 1830) took a huge toll on the population so that from an estimated 60,000 Aboriginal people who may have lived in Port Phillip in 1788 there were only 5,000 to 10,000 people left in the early 1830s when settlers established the

township of Melbourne.¹³ From this point the Aboriginal population plummeted, proposes Broome, to just under 2,000 people in 1853 representing a possible decline of up to eighty percent.¹⁴ Earlier Michael Cannon had suggested that in 1850 ‘the Aboriginal population of Port Phillip had been reduced to about half its original number’ and more recently James Boyce has stated: ‘Not thirty years after the founding of Melbourne, only about two hundred people remained from all five of the clans that made up the once populous Kulin nation and the population decline across Victoria as a whole was at least 80 per cent’.¹⁵

While placing a numerical figure on the rate of Aboriginal population decline is perhaps a useful form of persuasive argument, such statistics are also deeply fraught. Many Aboriginal deaths, whether from disease, neglect or violence went unrecorded and accurate records of the total number of Aboriginal people living in Port Phillip were impossible to gather without intimate knowledge of the community and its people. Europeans often had difficulty understanding Aboriginal languages and finding a consistent way of writing Aboriginal names or otherwise identifying individuals to avoid discrepancies in census data. Settler accounts of the period indicate that violence against Aboriginal people was often hidden from authorities and any kind of official recording of deaths due to disease would only occur where Aboriginal people came in direct contact with medical assistance offered by Europeans. Population decline figures often fail to take into account Aboriginal people who found ways to co-exist with European settlers working as shepherds, farm labourers or servants. Some people married or co-habited with settlers and started families, their Aboriginality slowly subsumed by or merged with their new cross-cultural identity. The number of people who lived in such a way,

however, remains unknown. Population figures also fail to address definitions of Aboriginality. In the 1830s and 1840s the term ‘Aboriginal’ referred mostly to people who officials thought of as ‘full blood’, when over time there was an increasing number of people with mixed heritage who were also Aboriginal. Contrary to nineteenth century predictions, Aboriginal people have a long and continuous presence in south-eastern Australia right up to the present day.

Despite this challenge of exactitude and definition, it is clear from the available figures that considerable numbers of Aboriginal people lost their life as a result of the settlement of their country by Europeans. The high number of deaths perpetuated a ‘doomed-race’ myth that Aboriginal people would die out rapidly and completely as a result of colonisation by the British. The myth was part of the philanthropic discourse that La Trobe was responding to in his desire to support the Christianising mission in Australia. In La Trobe’s view the process of Christian conversion offered Aboriginal people the chance to adopt what he considered was a culturally superior European way of life and to halt their population decline through assimilation. La Trobe also thought he would be able to use the equally significant authority of British law, vested in him as a colonial administrator, to ensure that violent clashes between settlers and Aboriginal people would be resolved in a just and efficient manner. Legal justice and Christianity were the fundamental principles of La Trobe’s approach to Aboriginal protection. British law and the missionary were the means through which he attempted to pursue these principles in Port Phillip.¹⁶

Before arriving in Melbourne, La Trobe spent time in Sydney with the Governor of New

South Wales, Sir George Gipps, who briefed him about his role and made clear the parameters within which La Trobe was to operate.¹⁷ The two men developed a firm friendship maintaining a regular personal correspondence throughout Gipps' governorship. At this time the Colonial Government in Sydney controlled the administration of the Port Phillip District in the south and La Trobe reported directly to Gipp's colonial secretary. The friendly relationship between Gipps and La Trobe had little effect on the lack of autonomy La Trobe experienced as superintendent particularly when it came to Aboriginal issues. Over the course of his time as superintendent the degree of control demanded by Gipps and later Governors was to prove challenging for La Trobe and significantly hampered his ability to effect improvements he felt were necessary. La Trobe was a loyal employee of the British Government and sought to fulfil his duties as best he could but he also keenly felt the frustration of the constraints of his office.

In 1839 the people of Melbourne greeted La Trobe warmly, as he wrote to Gipps only a few days after his arrival:

The welcome which the good people of this portion of your territories gave me, was as the papers would say enthusiastic: that is to say, the grave amongst them got up grave addresses & received grave answers—the gay made bonfires, put lights in their casements & fired off fowling pieces:--& the lower class got jovially drunk & were fined—all in my honor.¹⁸

Over the period of his appointment, however, growing tension developed between the British administration and settlers in the Australian colonies. During the years of La Trobe's superintendency, a need for independence, both from the British Government and the colonial authority of New South Wales, emerged in the Port Phillip District. The shifting of control between local authorities and the British Colonial Office was particularly evident in the area of Aboriginal protection. With good intentions, the Colonial Office sought to scrutinise and guide all decisions made in relation to Aboriginal people - a policy that eventually undermined the whole endeavour to safeguard the Aboriginal inhabitants of Port Phillip from the consequences of their dispossession.

The British Government expected La Trobe to oversee the public service, handle all correspondence, control expenditure, arbitrate on matters of convict discipline and distribution of labour, and most importantly, prevent conflicts between Aboriginal people and colonists. La Trobe's superintendency was controversial and challenging as he struggled to accommodate the needs of a rapidly growing population. Reflecting on his administration, modern commentators draw attention to his encouragement of the arts, education and philanthropy in the newly developing township of Melbourne.¹⁹ La Trobe pushed for the allocation of land for the first public library, museum and gallery, actively nurtured the development of the University of Melbourne, was patron of the Mechanics Institute and an enthusiastic supporter of the Royal Melbourne Hospital, Royal Philharmonic Society and Benevolent Asylum.²⁰ La Trobe's management of Aboriginal and settler relations has, until now, been a relatively unexplored aspect of his time in Port Phillip.

When La Trobe arrived in Australia he also became responsible for the management of the Port Phillip Aboriginal Protectorate; an experimental system developed by a British Parliamentary Select Committee and designed to halt the oppression of Aboriginal peoples in colonised lands. The Colonial Office had already employed the Protectorate staff, including a Chief Protector and four Assistant Protectors, and sent them to Melbourne before La Trobe's arrival. As a senior public servant, the Colonial Office expected La Trobe to manage but not direct, the work of the Protectorate. Instead the Colonial Office strictly monitored its experiment believing strongly in the philanthropic principles that inspired its creation and fearing that its aims would be diluted if left too much in the control of local administrators like La Trobe. In the later years of its existence, when it was clear the aims of the Protectorate scheme were not being achieved, the Colonial Office relinquished their stronghold over the decision making process. La Trobe's authority increased but it was too late. The Aboriginal population had been decimated and the atrocities inflicted by and on both Aboriginal and European peoples during the 1840s are a horrifying legacy of the failure of Evangelical idealism and La Trobe's inability to fulfil his foremost duty to stop the violence between Aboriginal people and settlers.

The Protectorate was probably the most earnest, opportune and well intentioned plan to help Aboriginal people that has ever been witnessed in Australia and yet, even on its own terms, it did little to stop the devastating effects of colonisation. The men who created the Protectorate were part of a wider European movement for reform; they were Evangelicals with a fervent belief in the need to protect Aboriginal peoples from the oppression that existed as a result of British imperial expansion. They were sincere in their desire to improve conditions for Aboriginal peoples and convert them to the Christian faith. La

Trobe's world view embodied these Evangelical beliefs. As a consequence, the Colonial Office placed their trust in him and his ability to ameliorate the treatment of Aboriginal people and prevent the ongoing conflict between them and settlers in Port Phillip - a 'very important part' of La Trobe's duty as superintendent.

Guided by his Moravian conscience, La Trobe was genuinely troubled by the increasingly difficult situation faced by Aboriginal people as a result of European settlement and wanted to ensure their protection, conversion and salvation. His inability to improve conditions for the Aboriginal population or bring about their conversion in greater numbers was a notable blight on his record as superintendent. Why was the task so difficult? Why was La Trobe unable to intervene and ensure a better outcome for Aboriginal people? And why did the conflict and marginalisation of the Aboriginal community continue to occur when so many people in authority in Britain fervently desired and actively pursued an alternate vision of colonisation? This book seeks to answer these questions through a deeper understanding of the British Government's Aboriginal Protectorate scheme and the local Colonial Government's reaction to it, of the failure of British idealism and of the influence of the Evangelical world view on Aboriginal matters. La Trobe is at the fulcrum of the story; a man who personified all the values of an enlightened British Government but who also had to grapple with the practical challenges of putting the protectionist plan into action. The effort of balancing both aspects of Aboriginal policy proved to be one of the most difficult and personally confronting issues of his superintendency.

REFORMING SOCIAL CONSCIOUSNESS

Born at the beginning of a new century, La Trobe experienced a world of upheaval and rapid change. People who traditionally had little control over the government of their country challenged the structure of European society and pushed for reform. In France a popular uprising resulted in the deposition and execution of the monarchy. In America colonists rebelled against British authority and declared their independence. Fear of similar upheaval in Britain brought the Evangelical movement to the forefront of British politics. Evangelical parliamentarians like William Wilberforce and Thomas Buxton were able to campaign in the British Parliament for greater social accountability. With their strong humanitarian approach, augmented by a substantial missionary network, these men developed the idea of Aboriginal protection and won support from the British Government. This was a unique moment when the plight of Aboriginal people became part of the British administrative consciousness. For La Trobe, whose Moravian beliefs were already of an Evangelical bent, these events provided an opportunity for a man of his background, highly educated but without military service, to hold a senior position in a British colony.

Charles Joseph La Trobe

Charles Joseph La Trobe was the son of Christian Ignatius La Trobe and Hannah Benigna Syms. He was born on 20 March 1801 in Kirby St, London and baptised in the Fetter Lane Moravian Chapel.¹ His mother was the daughter of a Moravian preacher and she raised all of her children with husband Christian Ignatius in the Moravian faith.

Christian Ignatius La Trobe was also the son of a devoted Moravian family. The Moravians trace their origins back to the religious upheavals of fifteenth- and sixteenth-century Europe. In the early 1400s John Hus, a scholar and preacher from Catholic Southern Bohemia who had studied at the University of Prague, developed his own particular slant on Christianity that contradicted many of the main tenets of Catholicism. He became a popular figure in Bohemia and openly criticised many of the abuses prevalent in the Catholic Church at the time, including the purchasing of ecclesiastical appointments and the practice of selling indulgences (promoted as a means of shortening an individual's time in purgatory). Internal politics and the conflict between two Papal claimants similarly undermined Hus' adherence to the Church. Instead he supported Bohemian nationalism and non-conformity, destabilising widespread adherence to Catholicism. In response the Catholic administration declared Hus a heretic, excommunicated him in 1409 and burnt him at the stake in Constance in 1415.² Following Hus' death, a group of his followers established their own church based on his teachings. This group began in the town of Kunwald in Bohemia and from 1457 they called themselves the Unitas Fratrum or Unity of the Brethren, otherwise known as the Moravian Church.

Fleeing persecution in Bohemia and Moravia at the beginning of the eighteenth century, the United Brethren sought asylum on the Upper Lusatia estates of Count Nicholas Ludwig von Zinzendorf in an area that is now part of the State of Saxony in unified Germany. Count Zinzendorf revived the Brethren with his support and encouraged their extensive missionary activities throughout the world.³ Many Moravian preachers passed through London on their way to other places like Africa and the West Indies where the

United Brethren had set up missions. In 1737 Zinzendorf visited England after his ordination as a Bishop of the Moravian Church and the following year missionary Peter Böhler instigated the establishment of the first Moravian chapel in London in Fetter Lane.⁴

The Moravians set up the Fetter Lane Society and then registered their chapel under the Toleration Act in September 1742. James Hutton took out the license for the chapel on behalf of the Society and the government designated the small building a dissenter meeting house. The Moravians, however, did not view themselves as dissenters as they had always tended to work within the context of other faiths. The Moravian church members lobbied for a more accurate representation of their beliefs by the legislature until 1749 when the Uniformity of Worship Act declared their denomination a legitimate Protestant Episcopal Church.⁵

The La Trobe home in Kirby St was within easy walking distance to Fetter Lane. Kirby St was short and ran parallel to Hatton Gardens in between St Cross St and what is now Greville St (formerly Charles St). Until the early part of the nineteenth century the Hatton Gardens area was described as ‘an esteemed situation for gentry, where no shops were permitted but at the lower end’.⁶ By the 1830s jewellery makers had moved in and the area became known for traders in gold, silver and diamonds. The Society founded their Moravian Chapel in Fetter Lane between Neville Lane and W(est) Harding St. By the time of Charles Booth’s Survey in 1889 the Kirby St and Fetter Lane region of London was very mixed in terms of social economic status with some families described by Booth as ‘well-to-do’ or ‘middle class’ living along Holborn Rd and Hatton Gardens but

most of the side streets like Kirby St and Fetter Lane ranging from ‘poor’ to ‘fairly comfortable’ inhabitants.⁷

In 1750 Zinzendorf, the wealthy patron of the Moravian Church, decided to establish his own Moravian centre in London as well. He purchased Lindsey House in Cheyne Walk, Chelsea, and the grounds of the former Beaufort House in 1751. Once home to Henry VIII’s Lord Chancellor Sir Thomas More and later the Duke of Beaufort, Beaufort House was a substantial property in a very ‘well to do’ area along the River Thames. Beaufort House was no longer extant but the grounds of the mansion were extensive and beautiful. Zinzendorf converted the Beaufort House stables and yard into a Moravian chapel and burial ground.⁸ After Zinzendorf died in 1760 it remained with the Moravian Church until 1770.⁹ The Church kept the burial ground where they interred church leaders and others like Peter Böhler, James Hutton and La Trobe’s grandfather Benjamin.¹⁰ The original Fetter Lane Chapel was destroyed by bombing in 1941 during a World War Two air raid but the Moravian community built a new chapel in the 1960s adjacent the burial ground that Zinzendorf created. The burial ground and chapel still exist today, although no internments have taken place there since the late nineteenth century.

In addition to the London chapel and centre, the Moravians established a settlement in Yorkshire called Fulneck in the 1750s. Charles Joseph La Trobe’s grand-father Benjamin ran the school at Fulneck from 1757 and all his children and grand-children were educated at the settlement. La Trobe was only six years old when he entered the Fulneck School in 1807 but the depth of the education he received was to serve him well in his future role as a civil servant. At Fulneck he learnt the basics of reading, writing,

and arithmetic but also history, drawing, science, debating, physical education, geography and music.¹¹ The Fulneck School emphasised personal discipline, order and piety. La Trobe graduated as a deeply religious and knowledgeable man fluent in three languages - English, French and German. He chose not to follow his father and grandfather into a religious life as a preacher, but instead sought his own path initially earning his living as a teacher and a writer. All of these early life experiences combined to give La Trobe the breadth of skills necessary to govern the growing colonial settlement of Port Phillip. He emerged from this environment a sensitive person, thorough and analytical, acutely aware and appreciative of the natural world, adventurous and yet serious in his family responsibilities, and most of all pious.¹²

Britain in the 1830s

While La Trobe attended the Fulneck School and concentrated on his studies, the rest of British society was going through a period of enormous change. By the late 1830s the British Parliament had made a series of important legislative statements; The Reform Act (1832) widened the franchise, the Slavery Abolition Act (1833) championed individual freedom, while the Poor and Corn Laws attempted to ease the distress of daily life for impoverished workers. Other reforms, such as the passing of legislation that extended religious toleration, recognised the diversity of Christian belief in Britain and weakened the bond between Church and State established in the sixteenth century. While it is difficult to account for all the pressures and events that led to this period of reform, some understanding of social and political movements at this time is necessary to explain the ideological approach La Trobe and the British Government took on the issue of

Aboriginal protection.

Liberalism and Revolution

Support for legislative reform emerged from discussion and contemplation of the broader idea of liberalism during the eighteenth century. According to historian Alan Sykes, liberalism was ‘pre-eminently a doctrine of opposition, whether to the pretensions of a monarch, a corrupted parliament, a self-serving aristocratic elite, an established church, or, indeed, any authority or regulation that restricted the legitimate liberty of the individual’.¹³ The most prominent and recognisable expressions of liberalism were the French and American upheavals of the late eighteenth century. The American Declaration of Independence and its promotion of individual freedoms against perceived British oppression was a ‘classic formulation’ of the liberal attitude. Originally a British colony, America clashed with the Home Government over subjects such as the right to issue currency, control of government appointments and the power of the British Parliament to override colonial legislation. These disagreements eventually led to an American declaration of independent rights issued in April 1774 and military action a year later. When France and Spain entered the conflict on the side of the Americans, they forced Britain to recognise American independence at negotiations that led to the 1783 Treaty of Versailles.¹⁴

The French experience echoed the affirmation of rights endorsed by the Americans. In the late 1700s the French monarchy faced a social and political crisis prompted by civil unrest. The French people had experienced several bad harvests and the rise in the price

of staple goods led to starvation and riots. When the French Estates-General - a meeting of a supposedly representative forum of the general population, clergy and aristocracy - met in 1789 it ignored the grievances the majority of the population. As a result, the larger group decided to form their own National Assembly and issued a Declaration of the Rights of Man and of the Citizen usurping the old French feudal system and absolute monarchy.¹⁵ The French uprising, described as ‘the death certificate of the old regime’, led to the removal of the French King. The new French Republican Government abolished the monarchy and executed Louis XVI on 21 January 1793.¹⁶

The French Declaration proclaimed the right of all men to ‘liberty, property, security and resistance to oppression’.¹⁷ The universal principles advanced in the French Declaration threatened the authority of Western governments throughout the world. As liberalism developed and the impact of international events of the 1770s to 1790s began to resonate in Britain, Evangelicals and political radicals renewed their agitation for democratic reform believing that the ‘inherent challenge’ of events in France would persuade the British Parliament to consider legislative changes.¹⁸ These legal reforms would set the tone for the British Government’s acceptance of the need for humanitarian endeavours aimed at helping Aboriginal peoples in Australia.

Movement for Reform

Despite the redistribution of wealth and population that resulted from increasing industrialisation, the British system of political representation had largely remained the same since the reign of Charles II in the seventeenth century. Voting was restricted to

freeholders who earned more than forty shillings a year from their land.¹⁹ The level of suffrage varied wildly in counties across Britain and wealthy patrons were able to determine the election of candidates by buying off voters. In 1827 parliamentarian John Wilson Croker estimated that patrons controlled 276 of the 658 seats in Parliament and described them as ‘pocket’ or ‘rotten’ boroughs; fifty-seven of these were in the hands of eight noblemen.²⁰ The House of Commons was the centre of parliamentary power and although seemingly a house of the people, in reality powerful and rich individuals bought and sold votes to ensure the candidate they preferred gained a seat.²¹ The French and American uprisings temporarily squashed the push for electoral reform but as the initial horror of these two events subsided the British elite realised that they needed to appease the populace in order to avoid similar popular dissent. The consequences of denying such reform ‘might cause the revolution of which the propertied classes were afraid’.²²

Local events also gave the British Parliament reason to be concerned. The effects of industrialisation and a drop in the mortality rate were dramatic; the British population increased by nearly 6 million in the thirty year period between 1801 and 1831.²³ The majority of these people lived in urban areas as a result of the dislocation of the rural population. Wealthy landowners bought out freehold farmers and evicted cottagers displacing thousands of people who moved into larger cities to find work.²⁴ In the wake of the Napoleonic wars over 300,000 soldiers returned to Britain seeking employment and competing for jobs with the rural poor. The high level of war taxation was difficult for everybody but particularly for those in the textile and agricultural industries that were so susceptible to the vagaries of overseas markets and the weather. A poor harvest and a trade depression in 1816 led to high bread prices, wage reductions and further

unemployment. There was civil unrest in the textile industry towns of Leicestershire and Nottinghamshire, and in regional areas such as East Anglia, resulting in the arrest and prosecution of several of the leaders involved and later their execution.²⁵ The radical Luddites smashed machinery in an iconic gesture of protest against the equipment they believed was the cause of their problems. Their actions demonstrated the depth of feeling among industrial workers but did little to help the vast majority of people who were suffering.

Widespread discontent throughout Britain eventually led to further deaths in 1819 when the military tried to disperse a crowd of 60,000 people who had gathered to hear the radical reformer Henry Hunt call for universal suffrage and an acknowledgement of the rights of man. Commentators dubbed the episode ‘Peterloo’ in a sad parody of the British military success at the Battle of Waterloo in 1815.²⁶ The need for reform was palpably clear to many parliamentarians. A period of heightened civil unrest, the bad harvest of 1830 and the overthrow, once again, of the partially restored French monarchy the same year brought about a resurgence of interest in the extension of the franchise and other parliamentary reforms.²⁷ Uncertainty about the direction of policy divided conservative and liberal parties but most believed that some concessions had to be made to ‘quieten the mob’.²⁸ The Whigs presented a Reform Bill to the House of Commons on 1 March 1831 but it took two more versions of the Bill and another general election before it passed the House of Lords on 4 June 1832.²⁹

The resulting Reform Act reconfigured the British electoral landscape spreading the franchise more evenly throughout the electoral boroughs and widening the qualification

for voting so that it included tenants as well as land owners. The legislation was a symbolic victory for those who believed in liberal principles and for Christian philanthropists who wanted the government to take on greater social responsibility. The British Parliament's relaxation of the laws against non-conformity, represented by the repeal of the Test and Corporations Acts in 1828 and the passing the Catholic Emancipation Act in 1829, acknowledged the increasing popularity of a form of Christian practice loosely described as 'evangelical'.³⁰ These laws weakened the traditional association of British and Colonial Governments with the established Anglican Church of England. Lessening Anglican control over political affairs led to a period of greater Evangelical and liberal influence that encouraged further legislative and social reforms, including the creation of a specific policy for the protection of Aboriginal peoples in British colonies.

Evangelicals

From the beginning of George II's reign in the 1720s to the end of George III's reign in 1820 the number of people who left the established Church of England to become Protestant 'dissenters' increased from approximately 3 per cent to 30 per cent of the population.³¹ Many of these individuals were Evangelicals who focused on outward expressions of personal faith and spiritual development. Initially a Methodist movement, one of the most distinctive characteristics of Evangelical Christianity was its non-sectarianism:

The most generally accepted and practised form of Christianity at the time was that which may be broadly called evangelicalism, with its emphasis upon moral conduct as the test of the good Christian. In this sense it transcended all barriers of religious sect, and marked the religious outlook of a Quaker like Bright and of a High Churchman like Gladstone, a Low-Church Tory like Shaftesbury and a Presbyterian like Livingstone.³²

Other Protestant dissenters included the Society of Friends (Quakers), Moravians, Congregationalists, Baptists, Presbyterians and even Evangelical Anglicans.

William Wilberforce, who was to play an important role in encouraging the La Trobe family's involvement in broader humanitarian activities, was one of the most prominent Anglican Evangelical thinkers at this time. Wilberforce's Evangelical creed involved an adherence to personal devotion and a commitment to social change through the promotion of the gospels.³³ He characterised the 'real' Christian as active, useful, generous, moderate, self-denying, modest, humble and demonstrating a singularity of purpose.³⁴ As Wilberforce put it, the increasing decline of morality in Britain motivated true Christians to promote a kind of spiritual nationalism:

Let them boldly assert the cause of Christ in an age when so many who bear the name of Christians are ashamed of Him: and let them consider as devolved on them the important duty of serving, it may be of saving, their country, not by busy interference in politics, (in which it cannot but be confessed there is much uncertainty,) but rather

by that sure and radical benefit of restoring the influence of religion, and of raising the standard of morality.³⁵

The kind of zeal for social reform advanced by Wilberforce had been driving Evangelical elements within dissenter organisations for many years and characterised their philanthropic and missionary endeavours.³⁶ Through their missionary activities, these groups formed a network of communication that kept the central administration in Britain up to date with events throughout the colonies and set their philanthropic priorities, including the need for Aboriginal protection. A similar approach determined the nature of La Trobe's interactions with Aboriginal peoples and his acceptance within this network was crucial to his appointment as the Superintendent of Port Phillip.

A Missionary Network

British imperial expansion provided a focus for a missionary fervour that spread across the world and was an integral part of the Evangelical agenda. In the nineteenth century missionary activities were 'unprecedented in scale' and well supported by non-denominational Evangelical organisations in Britain.³⁷ At the beginning of the eighteenth century there were no Protestant missions apart from those of the Moravian United Brethren. Inspired by the Moravians and newly infused with desire to spread the Christian gospel, other churches gradually established foreign missions towards the end of the century. The Methodists had a presence in the West Indies from 1786 and seven years later the Baptists established their own Missionary Society. The Methodists formalised their missionary work with the creation of the national Wesleyan Methodist

Missionary Society in 1818. Other organisations united Christian denominations in joint missionary efforts epitomised by the work of the London Missionary Society (1795).³⁸

Generally the Anglican clergy had no wish to engage so enthusiastically in missionary activities because they strongly associated the practice with non-conformity.³⁹ An Evangelical sub-group of the Church of England, however, was able to overcome this lack of encouragement and formed their own group, the Society for Missions in Africa and the East, later the Church Missionary Society, which began in 1776. In 1804 the Evangelical British and Foreign Bible Society subsumed the older Anglican Society for Promoting Christian Knowledge that had been around since 1698. Both the Church Missionary Society and the Bible Society had members in the Australian colonies. The Bible Society printed and distributed bibles for use all over the world.⁴⁰ The La Trobe family had important connections with this group. La Trobe's father Christian Ignatius applied to the society in 1808 for bibles that he distributed to the United Brethren missionaries in the West Indies.⁴¹ Charles Joseph La Trobe, in keeping with his father's association with the Society, chaired the first meeting of the Port Phillip Auxiliary Bible Society in 1840 and 'promised to give it all the support which lay in his power'.⁴² The work of these organisations in New South Wales and Port Phillip kept the Evangelical community in Britain informed about the treatment of Aboriginal peoples in the colonies during the early years of settlement. La Trobe would have been able to use these connections to both keep himself up-to-date with events in other colonies and to further missionary endeavours in Port Phillip.

Individuals like the parliamentarian William Wilberforce and his colleague Thomas

Fowell Buxton were active in these societies and formed a powerful lobby group in support of the wider Evangelical reform and missionary movements. The influence of missionary groups in the British Parliament was considerable during the 1830s:

Wealth, stability, and expansion indicated a divinely ordained, providential role for Britain. This evangelical interpretation married neatly with the growing confidence and assertiveness of Britain's governing classes contemplating the extension of British rule in India and her European pre-eminence. By 1830 missions both claimed and were accorded a place in a refurbished British national identity, as vital contributors to that 'Protestant worldview which allowed so many Britons to see themselves as a distinct and chosen people'.⁴³

Methodists and other dissenters drew significant support from among the poorer classes of Britain, while the generally wealthier Evangelical Anglicans were able to influence British social elites. Along with the radical elements of the British population, they put considerable pressure on the British Government for change.

The increasingly non-conformist character of religious belief in Britain, the widespread popularity of Evangelicalism with its philanthropic agenda, and the political radicalism that emerged from war, industrialisation and bad harvests, were some of the factors that combined to bring about a period of reform. Without these developments an interest in improving conditions for Aboriginal peoples would not have occurred at this time.

Buxton and his associates drew upon an established network of people sympathetic to their humanitarian agenda to influence both the British Parliament and the Colonial

Office. Initially Buxton took over from Wilberforce leading the campaign to end the trade in African slaves but then he turned to the problems faced by Aboriginal peoples more generally. As the British Parliament became more amenable to the idea of taking on greater social responsibility, Buxton was able to push for a Select Committee inquiry into the condition of Aboriginal peoples in 1835. Driven by his belief in the Christianising mission and the need for Britain to exercise its power benevolently, Buxton directed the work of the newly formed Select Committee and shaped its agenda. An explanation of the need for a charitable interest in Aboriginal peoples, given by the Committee in its second report, reflects Buxton's approach:

He who has made Great Britain what she is, will inquire at our hands how we have employed the influence He has lent to us in our dealings with the untutored and defenceless savage; whether it has been engaged in seizing their lands, warring upon their people, and transplanting unknown disease, and deeper degradation, through the remote regions of the earth; or whether we have, as far as we have been able, informed their ignorance, and invited and afforded them the opportunity of becoming partakers of that civilization, that innocent commerce, that knowledge and that faith with which it has pleased a gracious Providence to bless our own country.⁴⁴

From this inquiry emerged the idea of an Aboriginal Protectorate that the Colonial Office put into practice in the Port Phillip District and expected La Trobe to supervise.

When La Trobe arrived in Melbourne he was a man with close familial and Christian ties to the Evangelical movement. His view of the world was entirely in keeping with that of

the Evangelicals who were pushing for social change:

La Trobe had values and attitudes typical of his class and perfectly in accord with those that were affirmed by the Colonial Office. He was endowed with a deep spirituality, seeing the hand of God in everything and everyone about him. This was not, however, to deny his automatic acceptance of the superiority of the British over other races, and of the class distinctions which prevailed in that period. He was also convinced that, until native people were educated and had come to acknowledge Christianity as the one true path, they could not be considered civilised. In his new posting, he believed that it was his role to bring civilisation to them.⁴⁵

World-wide events of the early nineteenth century and the gradual pre-eminence of the Evangelical outlook shaped La Trobe's view of the role of government, particularly in the area of Aboriginal protectionism. As a result, the Colonial Office considered him an eminently suitable candidate for the position of superintendent in Port Phillip.

EVANGELICAL CREDENTIALS ESTABLISHED

La Trobe's familial association with the abolitionist Evangelical community made him a favourable candidate for the role of superintendent. Just as important was the British Government's need to select a person with a sympathetic Christianising approach towards Aboriginal peoples. The legislative end of slavery marked a change of attitude that was to have a significant impact on the way the British Government viewed Australian Aboriginal people in the early years of colonisation. The men who put forward the idea of an Aboriginal Protectorate through Buxton's 1835 Select Committee represented an ideological shift in beliefs about Aboriginal peoples inspired by abolition. By the 1780s slavery had become for many Christians 'incompatible with a proper Christian existence' because it was contrary to notions of charity, freedom of choice and individual liberty. The individuals who fought for the abolition of slavery and the protection of Aboriginal peoples shared a common belief in the unity of mankind and the right of all people to salvation. These ideals also motivated La Trobe.

Beginnings of the Abolition Movement

Commentators often cite Granville Sharp's advocacy of slave James Somerset from Virginia in a mid-eighteenth century court case as the beginning of the lobby for the reform of the slave trade in Britain. In 1772 Sharp challenged the right of Charles Stewart to 'own' Somerset at the Court of the King's Bench and subsequently won Somerset's freedom along with the liberty of around ten thousand other black slaves in Britain.¹ Sharp's success did not bring about the abolition of the slave trade generally but

it did lead to the establishment of several anti-slavery societies and the beginning of a more co-ordinated movement for reform. The first group to organise a campaign for abolition was the Society of Friends. In 1783 the annual Quaker meeting, called the Meeting for Sufferings, approved the idea that they submit a petition to the British Government for the cessation of slavery.² The Meeting for Sufferings originally formed to lobby Parliament for greater religious tolerance but now the Meeting and its associated Quaker groups from across the country rallied to highlight another social injustice. The Meeting for Sufferings set up a formal Abolition Committee who met with parliamentarians and sponsored the distribution of abolitionist material to newspapers. They also published larger anti-slavery tracts to raise public awareness of the issue.³

Success for the abolition movement, however, required a wider appeal. In 1787 the establishment of the Society for the Abolition of the Slave Trade brought together the main advocates for stopping slavery, such as the Quaker Thomas Clarkson and non-Quaker supporters like Sharp and Wilberforce.⁴ This society focused on the more realistic goal to end the slave trade, rather than slavery, and decided that the best way to achieve this was to encourage the foundation of auxiliary organisations of the Society throughout Britain. The role of these smaller adjunct groups was to distribute material to the public and raise funds for the central society through subscriptions. Clarkson was responsible for establishing many of these groups during his travels around the country in 1787-1788.⁵ Wilberforce was another crucial member of the Society who was able to use his Evangelical and parliamentary connections to fight slavery.

The Clapham Sect

Wilberforce's fame was partly attributable to his association with a group called the 'Clapham Sect' or 'Saints'. The Clapham Sect originally formed as a result of the patronage of merchant John Thornton who lived at Clapham in Surrey and later, his son Henry, who supported the Evangelical teachings of the local Church of England curate Henry Venn. The Thorntons also provided financial support to other Evangelical clergy within the Anglican Church like John Newton, William Bull, as well as Isaac Milner and Charles Simeon at the University of Cambridge. Wilberforce moved to Clapham in the 1780s and lived in a room at John Thornton's home where the two men began to draw people of a similar philosophical world view around them. When John Thornton died his youngest son Henry became central to the group, extending and building more homes on his Battersea Rise estate to accommodate his friends. Thornton's goal was 'to create an informal community of lay Christians living in accordance with their convictions and thereby inspiring others to emulate them'.⁶ Wilberforce became the leader of the group, which academics sometimes refer to as a religious party.⁷ Advocates of Evangelical Christianity, members of the group were conservative in their politics and supported their Tory friend William Pitt, who became the British Prime-Minister in 1783.

Well-connected and financed, the Clapham Sect became the main lobby group for the abolitionist movement. Several members were parliamentarians including Wilberforce, James Stephen, Thomas Babington, Henry Thornton and Charles Grant. The Clapham Sect cultivated other like-minded nonconformists and established informal and formal information networks throughout the world. Involvement of the group in the Church Missionary Society and the Bible Society meant their influence was far reaching and they

were able to keep up with international events. The Clapham Sect knew what was happening in the Australian colonies through other members of these Christian organisations like Samuel Marsden, who was for a time an Anglican cleric in New South Wales. Church society links were to prove invaluable to Buxton, Wilberforce's successor in the abolition movement, when he later chaired the Select Committee on Aborigines (British Settlements).

Backed by a popular reform movement and members of the Society for the Abolition of the Slave Trade, Wilberforce, Sharp and Clarkson were at the forefront of this campaign. Beyond their own connections, the abolitionists reached out to others who were intellectually opposed to slavery and, in particular, to the international community of dissenter organisations who similarly equated slavery with sin. These groups were to prove particularly helpful when the abolitionists were gathering information for an anti-slavery debate in Parliament in the 1820s and 1830s.

The La Trobe Connection

In the eighteenth century British slave traders worked the international trade route triangle between Britain, Europe and the West Indies. For many traders their business involved purchasing goods such as textiles, firearms, beads and mirrors from Europe and taking them to West Africa to trade in exchange for slaves. The traders then took their human cargo to the West Indies to sell and bought sugar or sugar products like rum that they sold in Britain. In the West Indies sugar farmers used slave labour extensively and the trade was an important part of the country's economy.⁸ The Moravian United

Brethren had a missionary presence in the West Indies for many years and their contact with the slaves provided important evidence against the continuation of the slave trade. When Wilberforce was putting together an argument for the abolition of slavery to present in the British Parliament he referenced the situation in the West Indies extensively. The leader of the Moravians in Britain, La Trobe's father Christian Ignatius La Trobe provided valuable information in support of Wilberforce's campaign. The two men became lifelong friends brought together by their Christian piety and mutual hatred of the slave trade.

Christian Ignatius La Trobe and the Moravian Missions

The Moravians began their missionary activities in the West Indies in the early part of the eighteenth century sending missionaries to Antilles in 1732. Fifty years later there were Moravian preachers in Antigua, St Christopher, Barbados, Jamaica and Suriname.⁹ The Brethren also had a presence in St Thomas, St John and Santa Cruz. Lieutenant Governor, George Harcourt, described their work with the slaves of this region:

The exemplary conduct of the Moravian Missionaries, coupled with their indefatigable industry and most zealous exercise of all religious duties, has for many years obtained for them the especial protection and encouragement of the local Government . . . both their precepts and their unassuming manners, are admirably calculated to benefit that unfortunate class of persons of which their congregations are principally composed;¹⁰

The Moravians did not encourage the slaves to seek liberation, instead they taught them to be subservient to their master reinforcing notions of duty and obedience along with a respect for law and order. Paradoxically this aspect of the Moravian teaching was an important contribution to abolition because they were able to demonstrate that the slave community would not be a threat to civil order when released.¹¹

Christian Ignatius La Trobe was a Moravian minister in London in the 1780s but he had already made important social acquaintances and friends. Like his father before him, Christian Ignatius also maintained a range of contacts within other dissenting and Evangelical groups. The success of the Moravian missions in areas such as the West Indies meant that he was often sought out by others to discuss their missionary undertakings. The Moravians gave Christian Ignatius a senior position within the Church in 1795 when he became Secretary of the United Brethren in Britain but even before then he was a major figure within the London Evangelical community. Various described as ‘manager of the Brethren’s English finances’ and ‘English Secretary for Moravian Missions’, Christian Ignatius had an extensive knowledge of the Moravian missionary methods and activities.¹²

In a biography of Wilberforce put together by his sons Robert and Samuel there is an interesting story about how Christian Ignatius became involved in the abolition campaign. Around 1787 Christian Ignatius was staying at the home of Sir Charles Middleton and his wife when he was privy to a conversation between the two in which Lady Middleton encouraged her husband to bring the matter of the abolition of slavery before the British Parliament.¹³ This conversation was prompted by the presence of the

Reverend James Ramsay who had recently published an essay on the treatment of African slaves.¹⁴ Middleton, a navy man elected as Member of Parliament for Rochester in 1784 who rarely spoke in the House, was an adherent of Evangelical Christianity and naval reform. He had spent time in the West Indies and Africa while in service with the Royal Navy and supported the Prime-Minister, William Pitt, in Parliament.¹⁵ Following his wife's suggestion, Middleton decided that the abolition cause required the assistance of a more eloquent and persuasive spokesperson. For this he turned to the up and coming young politician, Wilberforce, who was a friend of Ramsay.

Middleton sent Wilberforce to speak to his friend Christian Ignatius who knew about the slave trade in the West Indies and could help him get ready for a parliamentary debate. Around the same time, Christian Ignatius' was asked to prepare an account of the slave trade by another of his close associates, Beilby Porteus, Bishop of London. Porteus was on a special Privy Council Committee for Trade and Foreign Plantations that the King ordered in February 1788 to review the state of the slave trade to Africa and the West Indies. The Committee put together a report that included Christian Ignatius' account and that of other individuals, such as Clarkson, which it presented to Parliament in April 1789.¹⁶ The following month Wilberforce used the presentation of the inquiry's findings to lobby for further action on ending the slave trade. His speech in Parliament on 12 May was Wilberforce's first on the issue of slavery; he used the report, including Christian Ignatius' testimony, as the basis of his comments and spoke for three and a half hours!

Well known within Evangelical and abolitionist circles, Christian Ignatius was a friend of Samuel Johnson, John Newton, Charles Wesley, Hannah More, as well as Bishop Porteus

and Wilberforce.¹⁷ In 1790 he established and edited the Brethren's *Periodical Accounts* of their missionary activities that influenced the general approach to missionary activities throughout the world. With the approval of the Moravian Church elders in Germany, Christian Ignatius was also able to turn some of his multi denominational support to the Brethren's financial advantage. Wilberforce, for example, donated significant funds to the Moravians to assist their missionary work.¹⁸ All of Christian Ignatius' networks and connections impacted significantly on the life of his son, Charles Joseph, and were partly responsible for the Colonial Office's decision to appoint him Superintendent of Port Phillip in 1839.

Evangelicalism and the La Trobe Family

Christian Ignatius La Trobe and his son Charles Joseph grew up with the 'natural evangelicalism of all Moravians'.¹⁹ The Fulneck School was a training ground not just for Moravians but also for children from other faiths, including those destined for a clerical life.²⁰ This multi denominational outlook was a characteristic of Evangelicalism and originally the Moravians had hoped not to have to form their own group but to work within other Christian denominations. Count Zinzendorf's encouragement of the United Brethren to undertake missionary activities also reflected the outward focus of Evangelical thinking. Christian Ignatius was well travelled and often away in pursuit of his missionary calling. In 1818 he published a journal about a recent visit to South Africa and its Moravian missionary settlements.²¹ Another important publication was Christian Ignatius' *Letters to my Children* that he wrote during a sea voyage to the Cape of Good Hope in 1815.²² Even though Charles Joseph did not choose to become a preacher like

his father, he had a similar interest in the Christianising mission: ‘Evangelicalism was not an afterthought to the Moravian faith; it was at the heart of the Church’s identity and purpose, and this attitude was inbred in La Trobe. He was convinced of the benefits to all who embraced the Christian faith’.²³

Buxton and the Abolition Campaign

Following the passing of the Slave Trade Act 1807 that outlawed the bringing of slaves into Britain and their passage on British ships, the leaders of the anti-slavery campaign decided to start another society, the African Institution.²⁴ The main objective of this new society was to ensure that the British Government enforced the 1807 legislation. Other objectives of the Institution were to encourage legitimate trade with Africa and to persuade other countries to abandon the slave trade.²⁵ Efforts to achieve these last two objectives were met with disappointment, however, and it gradually became clear that the situation for African slaves did not improve greatly following the Act of 1807. Plantation owners found ways to avoid the British abolition laws through illegal importation and continued to exploit Aboriginal people. When James Stephen came up with a plan for the registration of slaves so their movements could be tracked, the abolitionists realised just how bad the situation was and renewed their push for further reforms: ‘the demographic evidence from these slave returns provided the most telling and irrefutable evidence to date of the reality of black slavery’.²⁶

In true nineteenth century fashion another society was proposed in 1823, the Anti-Slavery Society. The membership of this group was not dissimilar to those that had gone

before it. Most leading abolitionists were members, including Clarkson and Wilberforce, but the society also attracted some newer, younger members to the cause. One of these new initiates was Buxton, the Member of Parliament for Weymouth. Wilberforce, who was now in his sixties, saw the need to encourage the younger members of the abolitionist movement and asked Buxton, in particular, to take a leading role in Parliament. The apathy of other countries towards banning the slave trade was readily apparent. While France, Portugal and Spain had agreed to end their involvement in the slave trade, they were not as vigilant as Britain in monitoring the industry. The slave trade in Cuba and Brazil continued unabated convincing the abolitionists of the need to shift their focus towards the end of slavery in Great Britain and all her colonies, not just the end of the slave trade to and from Britain.²⁷ In 1823 Wilberforce wrote *An Appeal to the Religion, Justice, and Humanity of the Inhabitants of the British Empire, in Behalf of the Negro Slaves in the West Indies* in which he called for all ‘who have any respect for justice, or any feelings of humanity’ to

employ their best endeavours, by all lawful and constitutional means, to mitigate, and, as soon as it may be safely done, to terminate the Negro Slavery of the British Colonies; a system of the grossest injustice, of the heathenish irreligion and immorality, of the most unprecedented degradation, and unrelenting cruelty.²⁸

In the same year Buxton moved in Parliament for the emancipation of all children of slaves, recommending compensation for slave owners.²⁹

Buxton was already an active humanitarian. His mother was a member of the Society of Friends and it was through this religious affiliation that Buxton met his wife Hannah

Gurney.³⁰ The Gurney family were involved in several reform campaigns. Buxton's sister-in-law, Elizabeth Fry, was an advocate for prison reform, while his brother-in-law, Joseph John Gurney, was an abolitionist. After his marriage Buxton became more involved in philanthropic work. He supported relief for the Spitalfield weavers who were losing their income and suffering considerable distress as a result of the increasing mechanisation of the silk weaving industry. Buxton also undertook his own investigation into conditions at Newgate Prison and published an account of this review in 1818 as *An Inquiry Whether Crime and Misery are Produced or Prevented by our Present System of Prison Discipline*. The same year he ran for a seat in the House of Commons and continued his support for penal reform as a parliamentarian.

After 1818 Buxton became increasingly influenced by Wilberforce's Evangelical thinking and, in particular, his avocation of 'Real Christianity'. Buxton had always been motivated by religious fervour in his philanthropic activities but Wilberforce's interpretation of Christian dogma clarified and supported his reformist tendencies. Wilberforce had been watching Buxton's work from a distance for some years and had written him a letter of congratulations following a successful speech Buxton gave about the plight of the Spitalfield weavers. In May 1821 Wilberforce wrote to Buxton again explaining his own difficulties in attending Parliament due to his age and weak constitution. Wilberforce asked Buxton to consider bringing forward the issue of slave emancipation in Parliament and to form a 'holy' alliance with him to bring the war against slavery to an end:

I have been waiting . . . for some member of Parliament, who, if I were to retire or to be laid by, would be an eligible leader in this holy enterprise. I have for some time

been viewing you in this connexion; . . . I can no longer forbear resorting to you, as I formerly did to Pitt, and earnestly conjuring you to take most seriously into consideration the expediency of your devoting yourself to this *blessed service* ³¹

Buxton took his time to consider Wilberforce's proposal but by the end of 1822 he had agreed to champion the campaign.

Legislative Reform

During the 1820s Buxton met with some success convincing the House of Commons to take action to end slavery. The House decided to send instructions to colonial plantation owners outlining a number of reforms they thought should be made. These included a ban on flogging women, regulation of the use of the lash, providing more access for the slaves to religious instruction and stopping slave families from being split up.³² The reaction of the plantation owners, however, was disappointing. Slave owners obstinately refused to make any changes and rebelled against the Home Government. The younger and more radical elements of the Anti-Slavery Society decided that lobbying Parliament was not effective enough and resolved to make an appeal to the populace. The Anti-Slavery Society set up a sub-group called the Agency Committee that employed anti-slavery lecturers to travel across the country giving public talks, handing out pamphlets, encouraging people to send anti-slavery petitions to Parliament and establishing regional branches of the Society.³³ In 1807 Wilberforce, doubting the effectiveness of these measures to raise public awareness of slavery in Britain, decided to publish an open letter explaining the issue in *A Letter on the Abolition of the Slave Trade; Addressed to*

the Freeholders and Other Inhabitants of Yorkshire.³⁴ Nearly twenty years later, the Anti-Slavery Society determined that more widespread public support for their campaign was absolutely necessary and could not be left to chance. As a result, advocates for abolition published a barrage of anti-slavery literature and submitted thousands of petitions to Parliament. The issue received so much attention that parliamentary candidates were regularly required to declare their view on the matter.³⁵

Following the procedural changes brought about by the passing of the Reform Act, the mood of the Parliament was more sympathetic to the abolitionist cause. As early as January 1833 Parliament began to debate the form of a potential emancipation act. The House of Commons decided that they would immediately free children under six and transfer adults to apprenticeships. Under discussion was the length of time these apprenticeships were to last and the form of compensation paid to plantation owners for the loss of their ‘property’. While the abolitionists were strenuously opposed to compensation, Buxton led them in their decision to compromise on this point so the House of Commons would pass the bill. On 29 August 1833 the Slavery Abolition Act passed both Houses of Parliament and slavery was outlawed in Britain and all her colonies.³⁶

Buxton had made his reputation as a leading Evangelical reformer during the anti-slavery campaign. A fundamental Christian belief that the subjugation of Aboriginal peoples was sinful and abhorrent to God motivated Buxton in his parliamentary protest and ‘holy’ enterprise. As Wilberforce had alluded, British Evangelicals thought they were fighting a war against immorality and sin.³⁷ Abolition was a rallying point for those Evangelicals

outraged by the enslavement of one group of people by another. When thousands of Aboriginal people were removed from their homeland in Africa, subjected to great suffering and often separated from their families and familiar way of life, the abolitionists did not have to make much of a conceptual leap to believe that the circumstances of other Aboriginal peoples, like those in the Australian colonies, were worthy of consideration. As Buxton saw the situation, colonial expansion similarly involved the suppression and defeat of Aboriginal peoples, their enslavement, kidnap and murder. He was appalled that colonisation could result in so many deaths leaving behind a race of people living on what he considered was the edge of extinction, although not enough to suggest that colonisation cease altogether.³⁸ For Buxton the issue was not that colonisation should stop but that the British Government could improve the process and take into account the impact on Aboriginal lives. In the fight for the protection of Aboriginal peoples throughout the British colonies the prospect of civilising and converting Aboriginal people, and thus bringing them spiritual enlightenment, motivated Buxton and his followers.

CONFRONTING ABORIGINAL PEOPLES

While debate continued in the House of Commons about the end of slavery in the British colonies, La Trobe was undertaking a leisurely tour of North America and Mexico. His journey to Oklahoma, where he met the indigenous Osage people and saw first-hand the impact of white settlement upon them, was crucial to La Trobe's clarification of his ideas about race. On this tour he began to merge the Moravian world view of his upbringing, which emphasised the unity of mankind under God, with his experience of the Osage as a proud but ungodly group of human beings. La Trobe's account of his time in North America revealed a man deeply sympathetic to the plight of Aboriginal peoples. He was interested in exploring ways to alleviate the terrible circumstances the Osage were living under as a result of European development, but at the same time maintained a belief in his own spiritual and social superiority. La Trobe's concept of race was in keeping with that held by other Evangelicals in the early part of the nineteenth century. His was a paternal and somewhat condescending view of Aboriginal people in which they were childlike, in a state of spiritual decay and in need of protection. Initially the attitudes of Buxton and his fellow Evangelicals resonated strongly those of La Trobe. When Buxton shifted his focus from the anti-slavery movement to the fate of Aboriginal peoples more broadly, he constructed a protectionist approach to alleviate the sufferings of Aboriginal people. La Trobe was sympathetic to this method at first and it wasn't until he arrived in Port Phillip, where he was directly confronted with the challenge of implementing Aboriginal protection policy, that his views about how to do this altered.

La Trobe and the American Indians

By 1833 when the British Parliament passed the Slavery Abolition Act, La Trobe was already a published author. He had completed his education at the Moravian Fulneck School in Yorkshire and accepted a post as tutor to the young Swiss aristocrat Albert-Alexandre de Pourtalés. In Switzerland La Trobe travelled extensively and wrote about his experiences in *The Alpenstock* (1829).¹ After his term as tutor had finished, the success of his first book gave La Trobe enough money to return to Europe in 1829. From this second trip La Trobe put together his notes for *The Pedestrian* (1832), sketching as he went and indulging his interest in natural history by collecting items of interest.² La Trobe was a teacher, a successful author, an artist and an amateur scientist but ‘his total approach to life was governed by his deep religious faith and by his profound sensibility towards nature and its divine properties’.³ La Trobe’s next journey to North America and Mexico defined his thoughts about the destiny of Aboriginal peoples in newly colonised lands and greatly influenced his approach to race relations in Port Phillip.

In 1832 La Trobe accompanied his former student, Albert de Pourtalés, on a trip to the ‘new world’ that lasted for more than two years. During this visit they met Henry Leavitt Ellsworth who the American Government had just appointed as an Indian commissioner.⁴ La Trobe and Albert had already been introduced to Washington Irving on the journey from France to America and the three men were travelling aboard a steam boat on Lake Erie from Buffalo to Cleveland when they met Ellsworth. Albert expressed his desire to meet the local American Indians during his visit and Ellsworth suggested that he and La Trobe would encounter several tribes if they accompanied him to Oklahoma in the mid-west.⁵ Ellsworth was pursuing his official duties examining the suitability of land to the

west of the Mississippi River as a location for the transportation of the south-eastern tribes following the passing of the Indian Removal Act of 1830. Ellsworth was one of three commissioners appointed as part of President Andrew Jackson's plan for the concentration of American Indians in the less settled areas of the mid-west.⁶ As Washington Irving commented, the journey into the remote plains of Oklahoma would provide him and his travellers with 'an opportunity of seeing the remnants of those great Indian tribes, which are now about to disappear as independent nations, or to be amalgamated under some new form of government'.⁷ The four men travelled from Cleveland via Cincinnati to St Louis, along the Missouri River through Independence then on to Fort Gibson just outside present day Tulsa. This was the land of the Osage people who, before their treaty with the American Government of 1808, traversed an area encompassed by the Missouri River in the north, the Mississippi to the east and the Arkansas River in the south. Although this expanse of tribal land originally included parts of Missouri, Kansas, Oklahoma and Arkansas, by the time of La Trobe's visit in 1832 European settlement had pushed the Osage further to the southwest so that they inhabited only land in the north of Oklahoma.

La Trobe recorded his experiences in his third book *The Rambler in North America 1832-1833* (1835) that included a section 'The Indian Tribes' in which he discussed government policy and his thoughts about the Osage people. La Trobe's comments in *The Rambler* were particularly revealing about the way he was, later, to think about Aboriginal people in Port Phillip. La Trobe's descriptions of the local people of Oklahoma were generally reserved. He described the Osage warriors as a proud, physically strong and tall group of men with a 'firm straight gait and upright bearing',

although he did not consider them ‘handsome’.⁸ The women on the other hand were ‘horrible’ in personal appearance and bent over their daily tasks like beasts of burden. La Trobe often referred to American Indians as a ‘savage’ and ‘degraded’ race of people because they were spiritually unenlightened. His comments were those of a man conflicted by his admiration of Aboriginal people as a ‘noble savage’ on the one hand and his feelings of cultural and religious superiority on the other. He seemed to respect the steadfast resolve of the Osage to shun the assistance of the white man but it also exasperated him. He marvelled that an Osage father would request wages for his son to attend school, while at the same time admitted that a child removed from tribal life and given a European education would very likely return to their family an outcast.⁹ In his book La Trobe discussed the American Government’s policy of removal and agreed with the opening up of American Indian land for white settlement. While La Trobe perceived that the European invasion and acquisition of territory as part of ‘God’s great plan’, the behaviour of white settlers towards their fellow man was an outrage to his Moravian beliefs. For La Trobe, the invading white settlers may have ‘read that the day of the aboriginal inhabitant of the soil had come, and that the white man was destined to take the place of the red, and perhaps he divined well and truly; but he had no right to presume upon it, or that [*sic*] he was to be the active agent in forwarding that mysterious dispensation of God’.¹⁰

La Trobe railed against the influences of European society on the American Indians. He was in no doubt that the cause of the violence that accompanied settlement was the attitude of the white man and his ‘grasping’, ‘selfish policy’ and, in particular, his lack of faith.¹¹ He despised the availability of alcohol that reduced a ‘noble race’ of people into

‘miserable wretches’. The American Government could so easily have controlled access to whisky and he was appalled that they had avoided this responsibility. The spread of alcoholism among the American Indians, La Trobe argued, undermined all negotiations that took place between the two races for ‘who will believe that any act, however formally executed by the chiefs, is valid, as long as it is known that whiskey was one of the parties to the Treaty’.¹² La Trobe was convinced that settlers and Aboriginal peoples could not live side by side in equanimity. As the weakest party, the Aboriginal population either had to accept ‘civilisation’ or recede into the past. The progress of ‘civilised’ society and culture was inevitable and right, ‘Yet granting that this policy is sound because imperious, no one can look upon the state of the Indian, struggling for existence on the frontier, without commiseration’.¹³

La Trobe remained optimistic about the prospect of missionary work among the American Indians and believed the men involved were worthy of this task but unprepared for the situations that confronted them. The inexperience of many missionaries he thought made them unsuitable for the reality of frontier life, they were ‘far too weak handed and deficient in worldly wisdom, to cope effectually with the difficulties thrown in their way by the straggling but powerful community of traders, agents, and adventurers of every kind, with whom they must be associated in the intercourse with the Indians’.¹⁴ He believed that the American Government was sincere in its attempt to negotiate treaties with the American Indians but there were problems with the official system of compensation. Monetary payments for land, the provision of schools and agricultural instruction to Aboriginal peoples failed because ultimately, they were at the mercy of the unscrupulous men who controlled their distribution. Instead, La Trobe concluded that one

of the most effective ways of bringing about the ‘civilisation’ of Aboriginal peoples was to make sure that those who came into contact with them were men and women of irreproachable character. He also argued that agents appointed for the benefit of the American Indians should live among the tribes so that their moral influence would be greater. Later in the context of his superintendency of Port Phillip, La Trobe returned to this point and believed it was the inadequacies of the men employed in the Chief Protector’s Department that led to its inability to provide any significant assistance to Aboriginal people.

Evangelical Attitude to Race

La Trobe’s ideas about race were typical of Christian attitudes at the time. The plan laid out by Evangelical groups to ‘ameliorate’ or improve the condition of Aboriginal peoples in British colonies reflected their attitude toward ‘coloured races’ in general. Within the scientific community mankind’s single (monogenetic) or multi-source of origin (polygenetic) was a matter of great debate. At the beginning of the nineteenth century the prevailing view supported the idea the humans derived from a single origin and it was not until the middle of the century that multi-origin theories began to dominate.¹⁵ While scientific opinion about the actual cause of physical and other differences among human beings varied, the monogeneticists generally agreed that individuals adapting to their environment resulted in change.¹⁶ Evangelicals were also monogeneticists, although their biblical explanations for human variation sometimes contradicted scientific conclusions.

In 1813 physician and ethnologist James Cowles Pritchard wrote, ‘it appears that we may with a high degree of probability draw the inference, that all the different races into which the human species is divided, originated from one family’.¹⁷ Pritchard’s scientific work supported his view as a Christian that there existed a ‘unity of humankind’.¹⁸ When the Society of Friends published *An Address of Christian Counsel and Caution to Emigrants to Newly-Settled Colonies* in 1841, they also described mankind as one family and emphasised their ‘lively interest in the welfare of the uncivilized and the enslaved, and a desire that their inalienable rights as a part of the great family of man might be respected, and their civilization and religious instruction promoted’.¹⁹ Publications of the Anti-Slavery Society and similar organisations such as the Aborigines Committee of the Society of Friends commonly quoted from Acts 17:26 to explain their viewpoint: ‘God hath made of one blood all nations of men for to dwell on all the face of the earth’.²⁰ This biblical statement was a crucial declaration of belief for the Evangelicals involved in the abolition campaign and their promotion of the protection of Aboriginal peoples throughout the world. The idea of a commonality between all human beings was the foundation of Wilberforce’s explanation for writing *A Practical View of the Prevailing Religious System of Professed Christians* (1797):

It is the duty of every man to promote the happiness of his fellow-creatures to the utmost of his power; and that he who thinks he sees many around him, whom he esteems and loves, labouring under a fatal error, must have a cold heart, or a most confined notion of benevolence, if he could refrain from endeavouring to set them right.²¹

Buxton similarly defined his work for the protection and ‘civilisation’ of Aboriginal peoples in terms of a kind of missionary zeal that would ultimately allow the ‘entrance of millions of our fellow-men, now barbarous, ignorant, and heathen, into thy Church’.²²

While initially the belief that all human beings derived from the same origin may seem an inclusive approach to the issue of racial difference, it did not necessarily follow that monogeneticists believed in racial equality. Despite their opposing theories, the monogeneticists and polygeneticists had a common view of racial hierarchy in which white races were always superior to black. Although monogeneticists believed in the unity of mankind they ‘were not egalitarians’.²³ Rather they believed that ‘Races, during centuries of formation, acquired characteristics that, on comparison, established an inequality “which is impossible to deny”’.²⁴ Christian humanitarian literature described Aboriginal people as ‘degraded’, ‘pagan’, ‘heathen’, ‘savage’, ‘barbarian’ and ‘ignorant’ not because they were a lesser ‘species’ but because they were seen to be spiritually backward. Missionary activities were indispensable, they asserted, because they brought Aboriginal peoples the hope of Christian redemption and relief from ‘great spiritual darkness, as well as temporal misery’. For the Evangelical, Aboriginal peoples exemplified the depths of spiritual degradation and the Christianising mission was an opportunity for them to demonstrate the kind of commitment to their faith put forward by Wilberforce.²⁵

Another reason offered by Evangelicals for what they saw as the debasement of Aboriginal peoples was their contact with Europeans. The Society of Friends argued that extinction was the ultimate fate of Aboriginal peoples as a consequence of their

interaction with European society (in this case extinction meant the eradication of so called ‘full-blood’ Aboriginal people rather than those with a mixed heritage).

Circulating information about the current situation for the original inhabitants of colonial territory, the Society of Friends concluded:

It appears that in almost every instance in which our countrymen have come in contact with the uncivilized Aborigines, in any part of the globe, they have exerted an influence which has tended powerfully to reduce the numbers and greatly to degrade the moral and physical character of the natives. In some instances absolute extinction of the natives has already taken place – in others the work is nearly completed – whilst in most of the remainder, it is proceeding with a dreadful and accelerating rapidity.²⁶

In his North American discourse of 1835, La Trobe formed an analogous opinion and wrote of the American Indians: ‘Ignorant and degraded as they may have been in their original state, their degradation is now ten-fold, after years of intercourse with the whites’.²⁷

At the same time that La Trobe was publishing his insights about the disastrous results of Aboriginal contact with Europeans in North America, the British Government was beginning to realise that direct intervention was necessary to protect Aboriginal peoples in its colonies. When the British Parliament appointed the Select Committee on Aborigines of 1835, Evangelicalism connected most of its members who had similar ideas about race to those typified in the writings of La Trobe, Wilberforce, Buxton and organisations like the Society of Friends and the Anti-Slavery Society. A sense of

humanity for Aboriginal people and a need to raise them from a state of spiritual ruin was a significant influence on Buxton's approach. As with La Trobe, Christian faith and a sense of outrage that human beings could treat each other so badly motivated Buxton into lobbying on behalf of Aboriginal peoples.

The Call for Protection

In March 1834 Buxton put forward a motion in Parliament that information be sought about the 'aborigines of Canada, South Africa, New South Wales, and Van Dieman's Land, comprising their treatment, the encroachments made upon their land, and any efforts on the part of Great Britain to give them religious instruction'.²⁸ Buxton's interest in Aboriginal peoples was a natural extension of his involvement in the abolition movement. As the long campaign to abolish slavery was coming to an end, the humanitarian cause needed redirection before it lost the influence and support of the British Parliament. Evangelicals appealed to the duty of the Government to provide 'benevolent rule' in which all British citizens were entitled to protection and certain civil 'rights': 'Eighteenth-century enlightened thinking . . . influenced Britain's renewed expansion after 1790 in important ways. Debates about Imperial-colonial policy confirmed the ruler's duty of benevolence or obligation to accept responsibility for the well-being of the Empire's subjects'.²⁹ Buxton turned to the tried and tested methods that he had learnt during the abolition campaign to bring to the government's attention its failure to extend these rights and obligations to Aboriginal peoples. He used his position as a member of parliament to initiate a select committee and was involved in the

establishment of a society to raise public awareness of the plight of Aboriginal peoples:

The British and Foreign Aborigines Protection Society.

Buxton explained his transition from abolition to the protection of Aboriginal peoples in his *Memoirs*. By 1834 the British Government had emancipated thousands of slaves in the West Indies and Buxton's thoughts turned to a 'similar' enquiry. As always, Buxton felt inspired by his Christian faith to pursue the 'noble course' that was the protection of Aboriginal peoples. Feelings of shame about the behaviour of the British as a nation and, in particular, his fellow Christians, also motivated him:

My attention had been drawn of late to the wickedness of our proceedings as a nation towards the ignorant and barbarous natives of countries on which we seize. What have we Christians done for them? We have usurped their lands, kidnapped, enslaved, and murdered themselves [*sic*]. The greatest of their crimes is that they sometimes trespass into the lands of their forefathers; and the very greatest of their misfortunes is that they have ever become acquainted with Christians. Shame of such Christianity! My object is to inquire into past proceedings, for the purpose of instituting certain rules and laws, on principles of justice, for the future treatment of the aborigines of those countries where we make settlements.³⁰

On 1 July 1834 Buxton moved in parliament for an inquiry into the 'state and condition of the aboriginal tribes of countries in, and adjacent to, colonies under the dominion of Great Britain'.³¹ He cited specifically the injury caused to Aboriginal peoples due to the presence of his countrymen in Australia, Africa and North America where the 'inhabitants had greatly decreased'. Buxton refrained, because it was nearly the end of

the current parliamentary sitting, to call for a select committee but contented himself with a request to His Majesty that further inquiries would be made. Secretary of State for War and the Colonies, Thomas Spring Rice, ‘did not know of any mode in which he could more strongly express his assent to the propositions and principles laid down by his hon. friend, than by seconding the Motion’ and assured the House of Commons that he would provide all necessary documents for such an inquiry.³² Buxton had clear support from the Colonial Office for his actions through Spring Rice whom he described as ‘my old friend and coadjutor on Mauritius and slavery matters’.³³ As a result of Buxton’s motion, the colonial secretary sent a circular letter from the Colonial Office to the governors of all British Colonies requesting that they ‘secure to the Natives the due observance of justice and the protection of their rights, promote the spread of civilisation among them, and lead them to the peaceful and voluntary reception of the Christian Religion’.³⁴

In July 1835 Buxton was finally able to move his planned motion in the House of Commons for a select committee to look into the condition of Aboriginal peoples in the British Colonies.³⁵ By this time the situation in Australia had deteriorated rapidly and there was a desperate need for a systematic approach to the resolution of conflict between settlers and Aboriginal peoples. In New South Wales the government increasingly resorted to military options in an attempt to intervene between settlers and the Aboriginal people. Dismay about the situation in Van Diemen’s Land, where an overwhelmingly high proportion of the Aboriginal population had died from disease and conflict, was probably the reason for Buxton’s decision to include Australia in his inquiry. With the new settlement of Port Phillip opening up, the Colonial Office hoped that a select committee could provide a plan for Aboriginal protection that would please European

settlers and stop further decimation of the Aboriginal population such as had already occurred in Van Diemen's Land.

New South Wales

Conflicts between Aboriginal people and settlers had occurred in both New South Wales and Van Diemen's Land from the earliest days of settlement. In February 1788 the first governor of New South Wales, Captain Arthur Phillip, declared that the new colony was to operate under British law. An act of parliament had already established the form of government to apply in the proposed new colony, including a civil court that would administer the law and a criminal court that was more military in nature consisting of a 'petty' jury of six naval or military officers.³⁶ Although the Governor was subject to these courts, he held considerable prerogative power and any individual who questioned his decisions needed first to approach British authorities. Correspondence back and forth from Britain could take up to a year at a time when the journey from London to Botany Bay took four or five months.³⁷ The effect of this 'tyranny of distance' was that the governor, and later colonial administrators, were able to interpret the law in ways that were contrary to the original intent of the British Government when it came to the protection of Aboriginal peoples.

Phillip initially expressed his determination to preserve the lives of Aboriginal people and interrupt their way of life as little as possible. On 15 May 1788 he wrote to Lord Sydney: 'With respect to the natives, it was my determination from my first landing that nothing less than the most absolute necessity should ever make me fire upon them'.³⁸

Former deputy judge-advocate of New South Wales David Collins described how Governor Phillip had taken ‘every precaution’ to ‘guard against a breach of this friendly and desirable intercourse’ that he wanted to establish between the newly arrived British and the local inhabitants.³⁹ Phillip ordered that no one was to take spears or any other item belonging to Aboriginal people in the area around Botany Bay, however, it soon became clear that Phillip could not enforce his commands. Crews of visiting supply and convict bearing ships regularly took Aboriginal objects for resale on their return to Britain. As Collins foresaw, the relationship between the British and the original inhabitants deteriorated quickly from the earliest days of settlement.⁴⁰ The results of racial interaction, he wrote, were often violence or exclusion:

Although George III gave instructions that ‘all our subjects’ should ‘live in amity and kindness’ with the Aborigines, and no one should ‘wantonly destroy them or give them any unnecessary interruption in the exercise of their several occupations’, he did not explain what was an ‘unnecessary interruption’. It certainly did not preclude the occupation of the land, and while the natives saw no difference between plundering and hunting, their ‘depredations’ aroused hostility, to be followed often enough by butchery, or at least by expulsion from settled districts where they became trespassers, and by the destruction of their centuries-old way of life.⁴¹

In 1802 Phillip’s successor, Governor Phillip Gidley King, initially upheld his predecessor’s desire to protect Aboriginal people and issued a proclamation prohibiting ‘any act of injustice, let alone cruelty, to the natives’.⁴² Three years later the situation had changed and King was less idealistic about the nature of interaction between Europeans and Aboriginal people. The problem was that although the British Government had made

attempts to protect Aboriginal rights, it did not define these rights and ultimately the local judiciary could not uphold them.⁴³ The right of Aboriginal people to give evidence in legal cases or to trespass on licensed land were continually called into question. The relationship between Aboriginal people and European settlers predictably declined. As one historian observed, ‘The English settled on the Aborigines’ land and took their food; in return, the natives interfered with the Englishmen’s livestock. The natives were then attacked in retaliation, and so relations went from bad to worse.’⁴⁴ Increasingly Governor King resorted to military force against Aboriginal people to keep the peace.

By the 1820s concerned settlers in New South Wales began to express their abhorrence about the poor treatment of Aboriginal people, prompting some people to speak out against the violence in local newspapers.⁴⁵ Many immigrants recognised that the law protected Aboriginal people as fellow British citizens. As one correspondent to the *Sydney Gazette* pointed out in 1824, Aboriginal people were British subjects

They are recognized as such by the British Government, which has taken them under its control, and extends to them its protection . . . they are governed and defended by the same laws as ourselves so far as those laws are applicable to their condition . . . The general rule of our conduct towards the blacks must therefore be, to treat them in precisely the same manner as we should treat any other British subjects in like circumstances.⁴⁶

Despite the good intentions of the Colonial Government, colonial law did not protect Aboriginal people and the inability of those in authority to stop the violence exasperated the settler population.

Van Diemen's Land

In Van Diemen's Land settlers were similarly disillusioned but Lieutenant-Governor George Arthur decided to opt for a different approach to racial conflict. Continued violence between Aboriginal people and settlers led Arthur to declare martial law in November 1828. Arthur condoned the establishment of 'roving parties' to capture Aboriginal people and approved, for the encouragement of the captor, the payment of five pounds for each adult and two pounds for each child.⁴⁷ In 1830 the Van Diemen's Land Colonial Office set up an Aborigines Committee to review the 'state of the natives of this country as regards their feelings and conduct generally towards the settlers in this colony'.⁴⁸ Arthur was deeply anxious and concerned about the government's poor record of 'conciliating' with the local Aboriginal peoples. In 1831 he wrote that for three years

On every occasion, both personally and in the Government orders and proclamations, I have exhorted the inhabitants in the interior to adopt every possible measure for the protection of their families, and I have aided them with all the means within my power, to deter the natives from approaching their dwellings; but, at the same time, they have been enjoined in the strongest manner to restrain their servants from committing any outrages against the natives, and to endeavour by every possible means to conciliate these savages.⁴⁹

The government had already forced some Aboriginal people onto Gun Carriage Island in the Bass Strait and a general policy of removal developed. Arthur approved roving military parties sent out to guard settlers against Aboriginal incursions and ordered them

to ‘take and deliver unhurt, as many of them as they could possibly capture’.⁵⁰ He then decided to attempt a military manoeuvre to push Aboriginal people off the mainland in an operation referred to as the ‘Black Line’.⁵¹ In this campaign the military made their way across Van Diemen’s Land hoping to drive Aboriginal people away from their homelands and onto one of the islands in the Bass Strait. Of the 965 British Army troops Arthur had available to protect the new colonial settlement, he used 541 in the operation but this clearly wasn’t enough. British troops were not equipped or trained for the guerrilla tactics used by Aboriginal people to avoid capture. Arthur had to enlist the assistance of civilians in the operation who were unsuited to the drudgery and hardship of pushing daily through the bush and soon began to abandon the enterprise. By the end of November Arthur called the operation off and admitted it was a failure.⁵²

In the wake of the ‘Black Line’ Arthur relied even more on the work of his two official Aboriginal conciliators, Gilbert Robertson and George Augustus Robinson. Arthur appointed Robertson in April 1829 to make contact with and remove Aboriginal people from the central areas of Van Diemen’s Land. Robinson put forward a proposal to go to the South West at the same time, although Arthur did not approve the plan until the end of 1829.⁵³ Both Robertson and Robinson took with them other Aboriginal people who were to assist the conciliation process by communicating with foreign tribal groups. Robinson, who was later to become the Chief Protector of Aboriginal people in Port Phillip, had been administrator of the Bruny Island Aboriginal settlement in the Tasman Sea South of Van Diemen’s Land since 1829. He was learning the language of the Aboriginal people who lived there and was enthusiastic to know more about their culture and society. Robinson’s goal was to develop a trusting relationship with Aboriginal

people in order to convince them to move voluntarily off the Van Diemen's Land mainland for their own protection. Of course, this did not preclude him from receiving bounty money for their 'capture' until Arthur dissolved the scheme in 1832. The Aborigines' Committee observed that the military operations of the year before demonstrated that 'nothing is to be expected from any efforts on the part of the Government and the people to capture or drive the Aborigines by force of arms'. Instead the Committee reluctantly acknowledged that 'the only course left is the one under which the conciliatory mission is now acting, viz. "attempting to conciliate without making any display of force"'.⁵⁴

By this time disease and conflict had nearly destroyed the Aboriginal population in Van Diemen's Land. The Aborigines Committee estimated that the number of Aboriginal people left in 1831 to be around five hundred, compared to a white settler population of twenty thousand.⁵⁵ Robinson believed the Aboriginal population included about two hundred to three hundred people in 1829 and he claimed to have removed two hundred to two hundred and fifty of these that comprised 'the entire native population of that island except one family'.⁵⁶ He succeeded in coming to an agreement with most of these people to move to Bruny Island or one of the Bass Strait islands, but Robinson was not a good administrator and Aboriginal people suffered terribly under his management. Arthur had to close the Bruny Island settlement before it had barely begun. He approved the establishment of a new Aboriginal settlement at Flinders Island in the Bass Strait that Robinson believed was more suited to the needs of Aboriginal people. By 1835 all the people Robinson removed from the Van Diemen's Land mainland were living at Flinders Island.⁵⁷ Most had died from disease and starvation while attempting to survive the awful

living conditions at Bruny Island and the consequences of their confinement, which was so detrimental to the Aboriginal way of life. Only around one hundred and twenty three Aboriginal people remained.⁵⁸

The concern of the Aborigines Committee and settlers about their own protection from Aboriginal people prompted Arthur's actions. A popular belief, stated in the Aborigines Committee report, was that the Colony was 'in a continual state of fear and excitement' and many people felt that 'neither life nor property has been safe under the present state of feelings of the Aborigines toward the white settlers'.⁵⁹ When Robinson removed most of the Van Diemen's Land Aboriginal people to Flinders Island, both Arthur and the Colonial Office were relieved. This result was widely believed to have been a good one and of benefit to all parties involved, however, it is difficult to believe that this was the case for the Aboriginal people driven from their homeland. While the Aborigines Committee estimated that in 1831 the Aboriginal population was around five hundred, by 1839 the Committee recorded that only fifty six people remained, most of them languishing on Flinders Island.⁶⁰

An Urgent Need for Redress

In 1834, as a result of Buxton's motion in parliament, the House of Commons published information relating to Aboriginal peoples in North America, New South Wales, Van Diemen's Land and British Guiana. Although this document gave scant coverage of events in New South Wales, the account given in the correspondence about Van Diemen's Land was revealing. The 1834 colonial papers gave lists of atrocities that had

occurred and revealed the process of the removal of Aboriginal people to Flinders Island. These documents demonstrated that conflicts over land and the eradication of the Aboriginal population was a major concern for the Colonial Office. When Lieutenant Governor George Arthur wrote to the Colonial Secretary for War and the Colonies, Viscount Goderich, about the successful removal of Aboriginal people he replied, ‘His Majesty’s Government has received this information with no less satisfaction than that which the success of your measures towards an object of such vast importance to the welfare of the settlers must have imparted to yourself’.⁶¹ The House of Commons exposed for public comment the drastic situation in New South Wales a few years later when it published all correspondence in and out of the Colonial Office relative to the massacre of Aboriginal people in Australian colonies in 1838.⁶² Gradually colonial authorities revealed the extent of racial conflict on the colonial frontier.

Confronted with the terrible reality of colonial settlement for Aboriginal peoples, the Evangelicals who sat in the British Parliament placed their faith in the Select Committee inquiry and its consideration of ‘what Measures ought to be adopted’ to secure Aboriginal rights, protection, conversion to Christianity and the European way of life. Events in Van Diemen’s Land impacted strongly on the policy developed as a result of Buxton’s work and pursued by the Colonial Government in other Australian colonies. The Aboriginal people of Port Phillip were completely unaware that the outcomes of this inquiry and the views of fifteen white men who sat in the British Parliament would shape their future for the next ten years.

DEVISING A PLAN FOR THE PROTECTION OF ABORIGINAL PEOPLE

When Buxton put forward a motion in the House of Commons for the establishment of a committee of inquiry into the condition of Aboriginal peoples throughout the British colonies, the majority of the members were already adherents to the Aboriginal protection cause. The appointment and makeup of the Select Committee reflected the influence of the broader humanitarian agenda on the British Parliament, which extended into the Colonial Office. The Committee's conclusions were not surprising, in so far as they were the product of the largely Evangelical notions of race held by its membership, but they were crucial to the determination of Aboriginal policy in the Port Phillip District. The Select Committee created the experimental Protectorate system that La Trobe was to manage. Unfortunately, the lack of information available to the Committee was to have a harmful effect on the resulting system of protection, which radically underestimated the reality of the situation in the Port Phillip District.

The Select Committee

In July 1835 the House of Commons agreed that a Select Committee on Aborigines (British Settlements) be appointed to

consider what Measures ought to be adopted with regard to the native Inhabitants of Countries where British Settlement are made; and to the Neighbouring Tribes, in order to secure to them the due observance of Justice, and the protection of their Rights; to promote the spread of Civilization among them, and to lead them to the peaceful and voluntary reception of the Christian Religion.¹

The majority of the fifteen members of the Committee had, thanks to Buxton's diligence, a connection to the abolition movement and supported Evangelical reforms.² At this time House of Commons parliamentary select committees undertook their inquiries through the collection of evidence submitted by witnesses, although individuals could refer other documents to them for consideration. As the parliamentarian who put the motion for the establishment of the Committee, Buxton became its chair and this usually meant he was able to pick his fellow Committee members. Parliamentary rules dictated that 'every member intending to propose a select committee, shall, one day next before the nomination of such a committee, place on the notices the names of such members intended to be proposed by him to be members of such a committee'.³ This may explain the large number of supporters Buxton had on his Committee, although it was also possible for the House of Commons to elect members by ballot.⁴ Either way he would have been able to influence the situation so that he had as many supporters as possible on the Committee. These rules of order did not preclude Buxton from problems later on but as chair he held a powerful position including the right of veto when Committee voting did not give a clear result.⁵

The membership of the Committee revealed the extent to which Buxton had gathered supporters around him to ensure that the inquiry would affirm the rights of Aboriginal peoples in British colonies rather than suppress them. Buxton's involvement with the abolition movement gave him an extensive network of sympathisers in the House and the members of the Select Committee reflected this. Charles Lushington was a reformer and younger brother of Stephen Lushington, who had helped Buxton prepare his

parliamentary speech against slavery in 1823. Edward Baines and Joseph Pease were members of the Society for the Abolition of the Slave Trade.⁶ Colonel Thompson was the radical Thomas Perronet Thompson, who also knew Wilberforce and had strong anti-slavery sympathies.⁷ Thompson was governor of Sierra Leone for a time, a position he gained through the patronage of Wilberforce. Thompson backed the push for Aboriginal protection.⁸ Similarly supportive was Charles Hindley, a Moravian educated at the Fairfield Moravian Settlement and then at Fulneck, the same schools that the La Trobe family attended. Hindley's family owned cotton mills and he was particularly vocal about the issue of factory reform.⁹ His humanitarian efforts on behalf on the London poor were in keeping with his Moravian faith.

Others who shared Buxton's political views were John Pemberton Plumptre and Sir George Grey. Plumptre was a lawyer and Member of Parliament for East Kent. He entered Parliament in 1832 opposing the extension of rights for Jewish people and he was against the existence of political unions, despite this Buxton believed Plumptre supported his objectives for the Committee in relation to Aboriginal peoples.¹⁰ Sir George Grey was the nephew of Prime-Minister Charles Grey, whose government passed the Reform Act (1832). His parents were Evangelicals and associates of other reformers such as Wilberforce and Thomas Chalmers. Grey's position as Under-Secretary for War and the Colonies in 1834 and his replacement of William Gladstone in this position after May 1835 assured him a place on the Committee. He held this post until 1839, almost the whole period of the Select Committee's inquiry. Although Grey followed his parent's Evangelical approach to Christianity and was a member of the Church Missionary Society and British and Foreign Bible Society, he had argued with Buxton in parliament

in 1835 over the apprenticeship system implemented following the abolition of slavery.¹¹

On the issue of Aboriginal protection, however, Grey gave Buxton considerable support and was a direct link to the Colonial Office.

Buxton had close familial ties to two members of the Committee. Joseph Pease was a member of the Society of Friends and part of Buxton's social circle through his marriage to Emma, the daughter of Joseph Gurney and a relative of Buxton's wife Hannah.

Andrew Johnston married Buxton's daughter Priscilla. Both Committee members shared his enthusiasm for the abolition of slavery and by extension, his commitment to the protection of Aboriginal peoples. Benjamin Hawes and Rufane Donkin had won their parliamentary seats in 1832. Benjamin Hawes was known as a radical who supported parliamentary reform.¹² Rufane Shaw Donkin was a military man who made it to the rank of general in 1838. His political inclinations are less clear but he was a Whig and for a short time he administered the Colony of the Cape of Good Hope. He also had military experience in the West Indies.¹³

The majority of Committee members thus had a clear interest in the protection of Aboriginal peoples and colonial affairs, and encouraged Buxton's determined approach to the subject of the inquiry. Things did not, however, go all Buxton's way. Buxton viewed two other members, John Bagshaw and William Gladstone, as his main opponents on the Committee.¹⁴ Bagshaw, a banker and merchant who had spent time living in Calcutta, entered parliament as the member for Sudbury in 1835 in the 'Liberal interest'.¹⁵ Gladstone was an early replacement for another member, John Hardy, but it is difficult to surmise whether Buxton had any input into this appointment. Gladstone was

Evangelical and supported Catholic emancipation but he opposed sweeping parliamentary reform preferring instead more moderate measures taken under the guidance of conservative politicians.¹⁶ The Duke of Newcastle had invited Gladstone to stand as a Tory candidate in the electorate of Newark in 1832. He won his seat in the post-Reform Act general elections of December giving his maiden speech in the House of Commons in June 1833. The subject of his speech was the compensation arrangements for slave owners in the West Indies where his father held substantial interests in the slave trade. Gladstone consistently protested against concurrent endowment where the Government made financial contributions to all Christian denominations rather than the Anglican Church alone. His interest in Buxton's committee was probably a result of his position as Under-Secretary for War and the Colonies from January to April 1835, which meant he was the Tory spokesperson on colonial matters in the House of Commons.¹⁷ Little is known about the other two members, Edward Holland and Henry Wilson.¹⁸

The Debate About Evidence

Buxton was initially influenced in his decision to call for a select committee by information he received from Dr John Phillip in the Cape of Good Hope colony in southern Africa, who he described as his 'chief informant and adviser'.¹⁹ Phillip was a missionary who managed the affairs of the London Missionary Society in the Cape colony and was concerned about the increasing violence between the Xhosa people and European settlers. Phillip lobbied for an inquiry into events in the colony and reached out to his philanthropic networks that included Buxton.²⁰ The two men had already worked together when Buxton raised the issue of the treatment of the South African Khoi people

in parliament in 1828. Buxton was at that time still fighting for the abolition of slavery but his interests extended to securing the rights of the Aboriginal peoples of South Africa as he became more aware of their situation. White settlement in this country had resulted in terrible conflicts over land and Buxton was able to secure parliamentary acknowledgement of the Khoi and Xhosa peoples' legal equality with white settlers.²¹ While events in the Cape colony certainly prompted Buxton's decision to request an inquiry, he was well aware of the fate of Aboriginal peoples throughout the colonies. In 1835 he submitted his proposal for a more encompassing review that included other British colonies. This more inclusive focus made the inquiry more palatable for the House of Commons since some members believed that the parliament had already dealt with issues in the Cape colony. Similarly, in the early days of the Committee Gladstone had tried to disallow any evidence from the Xhosa people 'unless it shall appear that the same have been communicated to the Government without effect'.²² The matter equally divided the Committee but was resolved when Buxton used his casting vote in favour of the Xhosa people presenting their evidence through John Tzatzoe.²³

The international scope of the Committee assuaged Buxton's personal and spiritual need to acknowledge the devastation of colonial expansion on the culture and society of Aboriginal peoples. On 30 September 1834 he wrote to Dr Phillip, 'I think England is a deep offender in the sight of God, for the enormities she permits to be practised upon these poor, ignorant, defenceless creatures; and, with God's help, I hope to do something for them yet.'²⁴ In their first report the Committee declared that 'it will not be difficult to devise a system of Intercourse with uncivilized Nations more consonant to Justice and Humanity, more in unison with the high character which Great Britain ought to maintain,

and more conducive to her real interest, than that which has been hitherto adopted'.²⁵ In reality, however, Buxton had difficulty getting some members to support his final report and his recommendations were scaled back. The path towards Aboriginal protection was not as straightforward as it had at first appeared.

The Evidence Presented

The Select Committee began taking evidence on 31 July 1835. Buxton had carefully prepared his list of witnesses to the Committee and the collection of evidence was heavily weighted towards the Cape colony. He faced opposition nearly straight away when Donkin put a motion to stop the inquiry from hearing Dr Phillip's testimony about the situation in the Cape, the Committee denied the motion by 4 to 1 votes.²⁶ In the end nearly half of the evidence heard by the Committee related to South Africa, the rest concerned the colonies of New South Wales, Van Diemen's Land, Canada and Newfoundland, with some additional information about New Zealand and Polynesia.²⁷ Witnesses called upon to give statements about the situation of Aboriginal people in Australia included Dr Thomas Hodgkin, Thomas Trapp, Saxe Bannister, Archdeacon Broughton, Dandison Coates, Reverend John Beecham, Reverend John Williams and Reverend William Yate. Not all of these people had been to the Australian colonies and some had only visited for short periods of time. They were not eye-witnesses but individuals who were in a position to collect information about the condition of Aboriginal peoples from others. The members of the Select Committee and the evidence of these eight people had a vital role in determining the system of protection put into place in Port Phillip and the fate of the Aboriginal people who lived there.

In terms of the campaign for Aboriginal protection in Australia, one of the most important people interviewed by the Committee was Thomas Hodgkin. A medical doctor and, like Buxton, a member of the Society of Friends, Hodgkin had been lobbying for the rights of Aboriginal people for many years before the appointment of the Select Committee. He introduced the idea that Aboriginal people could be ‘civilised’ without the disintegration of their culture. Hodgkin was particularly critical of missionary activities but was able to work with Buxton for the promotion of Aboriginal rights despite their differences of opinion. Hodgkin encouraged Buxton to extend his inquiry beyond South Africa and suggested two other witnesses, Saxe Bannister and Richard King.²⁸ The Committee decided to interview Hodgkin for his expertise; he was a man of learning who had been considering the issue of Aboriginal protection and ‘civilisation’ for some time. Members of the committee consulted him about whether attempts to convert Aboriginal people to Christianity or attempts to ‘civilise’ should come first and what sort of policy he would put in place for the benefit of Aboriginal peoples. Though Hodgkin spoke generally, many of his comments were applicable in an Australian context.

Hodgkin emphasised the importance of education and the establishment of missionary and other schools. He talked about colonial corruption in relation to the access of Aboriginal people to financial grants of aid made to them in compensation for land. Hodgkin also advocated the appointment of ‘official patrons of the natives’ to make sure the government honoured Aboriginal rights. In this case he referred specifically to the Australian context and his correspondence with James Backhouse and Reverend

Dunmore Lang. Interestingly Hodgkin denounced attempts to remove Aboriginal people from their land referring to detrimental examples of exclusion in North America and Van Diemen's Land where he 'had positive proof of its being injurious' to Aboriginal populations.²⁹ Instead he suggested that 'we should ameliorate them in the situations in which they have already fixed themselves'.³⁰ Hodgkin was certainly aware, as were other Committee members, of the near 'extermination' of the Aboriginal people of Van Diemen's Land due to their forced removal to Flinders Island.

Dandison Coates was secretary of the Church Missionary Society and his information came mainly from the letters and journals of the Society's missionaries in the field. Coates referred to the journal of Reverend William Watson, who was stationed at Wellington Valley in New South Wales, and his accounts of relationships between white settlers and Aboriginal women. Coates outlined some of the abuses taking place on the Australian frontier that he attributed to the conduct of stockmen 'who are employed in looking after cattle and flocks of the settlers in the outskirts of the country, and who therefore are very much without the reach of the magistracy and police.'³¹ Reverend John Beecham was also the secretary of the Wesleyan Missionary Society. The Committee questioned Beecham about Aboriginal rights to land and he gave evidence of the demise of Aboriginal populations.³² He quoted from the writings of Reverend Walter Lawry about the suffering of Aboriginal people from contact with Europeans and the widespread belief among settlers that they will 'become extinct'. The Committee also inquired about the success of missionary activities in the colony.

William Grant Broughton, New South Wales Archdeacon for the Church of England, had been living in Sydney since 1829 and gave extensive evidence of the situation for Aboriginal people in New South Wales and Van Diemen's Land. He described how Aboriginal people were in a state of 'extreme degradation and ignorance' and estimated their number as around 1,000 – 1,500 in the vicinity of Sydney.³³ He discussed the employment of Aboriginal people in agriculture and domestic service, and the extent of previous government efforts to set up schools and support missionary work. Of all the attempts that had been made to convert Aboriginal people, Broughton 'found but one instance in which I could think that there had been an actual belief of Christianity imparted, and that was to an individual who had been brought up in a school with English boys, not in the native state.'³⁴ Of attempts to 'civilise' Aboriginal people, Broughton thought they were all 'ineffectual' because experience had shown that those who had 'for a time been enjoying the comforts, as we consider them, of civilisation' would after a while return to 'their state of savage life in the woods'. Broughton's evidence was not particularly positive except to say that he believed Aboriginal people had a 'very acute' intellect when they chose to apply it. Other witnesses agreed including Reverend John Williams who said of Aboriginal people that there was 'no deficiency of intellect on their part'.³⁵ Broughton also discussed the diminishing Aboriginal population, the spread of disease among them, their cultural customs and their susceptibility to the vices of settlers. He offered no suggestions for improvement other than to comment that attempts to assist Aboriginal people should occur away from the 'contaminating' influence of white settlers: 'I am utterly at a loss to suggest how they can be preserved from the effect of the evil example that is continually before them, where they associated with Europeans.'³⁶

The Select Committee also interviewed another churchman by the name of Reverend William Yate. Yate was a member of the Church Missionary Society who had visited New South Wales several times and acted as a chaplain for the Anglican priest Samuel Marsden. Yate noted the difference between the wretchedness of the Aboriginal people who lived in the towns compared to those in the countryside. Like Broughton, Yate gave quite detailed evidence to the Committee but was more positive than the archdeacon. He believed a Christianising mission was possible in Australia and that Aboriginal people would give up roaming the countryside to settle on a mission station. Yate gave testimony of the attitude prevalent among settlers saying, 'I have heard again and again people say that they were nothing better than dogs, and that it was no more harm to shoot them than it would be to shoot a dog when he barked at you.'³⁷ Yate agreed with the Committee that the colonial administration acknowledged Aboriginal rights in theory but consistently ignored them in reality. He observed that one of the main causes of Aboriginal misery was the prevalence of introduced European diseases. For the improvement of the conditions under which Aboriginal people were living in the wake of European settlement, Yate suggested the following measures:

To recompense them in some way for forcibly taking possession of their lands, and that in articles which are likely to be useful to them; to collect, if possible, some of the most vagrant tribes together, and to give them assistance in building comfortable houses, and for some time supplying them with food, leading them to habits of industry; to cultivate their own land, that they may supply themselves with food; and above all, to use every possible means to give them Christian instruction, which, after all, will be the only way of really raising their moral character, and proving the means

of their civilisation. As far as my own experience goes, without that, I should say, that every thing else would fail.³⁸

Another witness, Saxe Bannister, who was once the attorney-general of New South Wales, discussed some of the legal issues he encountered when trying to prosecute cases of violence against Aboriginal people. He cited several cases he had dealt with to demonstrate the lack of justice and the difficulties of prosecuting all cases equally. Bannister observed a history of bias against Aboriginal people where ‘there were atrocious murders of some of the Aborigines; the murderers were tried, and there was no doubt of their guilt, but the governor at the time thought it his duty to suspend execution.’³⁹ The only other testimony about New South Wales came from Thomas Trapp who merely stated that he did not know if Aboriginal people had decreased in number or just ‘retired’ into the bush. He admitted that small-pox had reduced the Aboriginal population but he only knew this from ‘heresay’.⁴⁰

The Committee also received documentary evidence in the form of private letters to Buxton from Lieutenant-Governor George Arthur, James Backhouse, John Dunmore Lang and Samuel Marsden. Other evidence included a plan from Saxe Bannister for a ‘system of administration in regard to uncivilised natives in and near the British Colonies’ and copies of correspondence between the Colonial Office and the Colonial (Australian) Government. All of this documentation confirmed Buxton’s view that the government was not doing enough to assist Aboriginal people and that most of the problems they faced were due to contact with Europeans. Witnesses to the Committee

corroborated evidence of a decrease in the Aboriginal population and a disregard for their rights. Other information about the capacity of Aboriginal people for education and civilisation, their needs in terms of sustenance and representation, and the difficulties of enforcing the law to protect them in what was still a sparsely settled environment, all contributed to the Committee's findings.

By the end of the evidential stage of the inquiry the Committee still knew very little about the Aboriginal people of Australia. The inquiry had interviewed only eight people about the situation in New South Wales; five were churchmen or represented church organisations of which only three had ever set foot in the Australian colonies. Of these three individuals who had been to Australia, only two of them seemed to have worked directly with Aboriginal people, mainly in a missionary capacity. None of these churchmen could speak an Aboriginal language and their understanding of Aboriginal culture and society was abysmally poor. Only two of the other witnesses had spent time in New South Wales. Saxe Bannister's evidence of his experience as a magistrate was useful but Thomas Tapp had little to offer. The Committee had enough information to ascertain something of the state in which settlement had forced Aboriginal people to live and were well informed of the attitude of the Europeans with whom they had to coexist. Unfortunately, the Committee had almost no useful information that would help them meet their brief to come up with measures that ensured justice, protection, 'civilisation' and voluntary acceptance of Christianity for Aboriginal people.

Without accurate or extensive information, it was not surprising that the Committee constructed a notion of what they thought was appropriate for the assistance of

Aboriginal people in New South Wales based on Christian paternalistic ideas about race rather than a thorough understanding of Aboriginal culture. In making suggestions for the improvement of conditions for Aboriginal peoples, the Committee returned to that stalwart of Evangelical belief – ‘civilisation’ through Christianisation. While the Committee heard evidence and continued with their inquiry, the Colonial Office received correspondence from the colonies on the issue. The new Secretary of State for War and the Colonies, Lord Glenelg, kept up with the progress of the Committee through Under-Secretary Sir George Grey but also had to arbitrate on Aboriginal issues in the Australian colonies without the benefit of the Committee’s official findings.

Colonial Policy

The Select Committee on Aborigines had yet to present its report when Glenelg began devising Aboriginal policy in relation to Port Phillip and South Australia. Glenelg received advice from the Lieutenant-Governor of Van Diemen’s Land, Sir George Arthur, who had already been corresponding with the Colonial Office. Drawing on his experience with Aboriginal people in Van Diemen’s Land, Arthur had suggested the appointment of a protector for the proposed southern settlement of Port Phillip. Arthur recommended the services of George Augustus Robinson, Aboriginal conciliator and administrator of the Flinders Island Aboriginal settlement, for this important position. Arthur proposed that Robinson could take the Aboriginal people on Flinders Island to Port Phillip to assist in the establishment of communications with the Aboriginal people of this District.⁴¹ Arthur promoted Robinson’s credentials writing: ‘I have great

confidence in the qualifications which he has so successfully exerted in the conciliation which has been effected here'.⁴²

Arthur lobbied strongly for Robinson's appointment as Chief Protector in Port Phillip, perhaps because he was so pleased with the results of Robinson's work removing Aboriginal people from Van Diemen's Land. Robinson had also been convincing in his claim to be able to communicate particularly well with Aboriginal people. In addition, Arthur was aware that he could alleviate his government of the responsibility of caring for the remaining people on Flinders Island if Robinson was able to take them with him to Port Phillip.

Arthur followed up his first letter by sending the Colonial Office copies of correspondence he had on the matter with Robinson. These letters highlighted Robinson's support for the protection of immigrants and the urgency of removing the remaining Aboriginal people on Flinders Island to a more suitable location. Robinson promoted his efforts in Van Diemen's Land and believed that the British Government could adopt a similar scheme in Port Phillip. He detailed a plan for the establishment of a central station for the convergence of Aboriginal people away from settlers commenting that 'The system adopted towards the aborigines of this territory is, I believe, quite unique; history does not furnish an instance where a whole nation has been removed by so mild and humane a policy.'⁴³ By the time the Colonial Office responded to Arthur, however, Glenelg had taken over as Secretary of State for War and the Colonies and took issue with Robinson's argument for the removal of the people on Flinders' Island to southern Australia. Arthur's and Robinson's pursuit of the matter had backfired and

Robinson's depiction of the dreadful state of the remaining Van Diemen's Land people alarmed Glenelg. Robinson's suggestions were completely contrary to what he had led the Colonial Office to expect after submitting his Flinders Island report of 1833. As a consequence, Glenelg requested a 'full and detailed report of the state and condition of the natives at Flinders Island'.⁴⁴

Arthur had already been lobbying Buxton from Van Diemen's Land about the treatment of Aboriginal people and wrote on 18 September 1834 offering to visit the new Port Phillip settlement and 'to station there a small military party under an officer in whom I could depend, as protector of the natives.'⁴⁵ Arthur emphasised to Buxton his desire that they learn from events in Van Diemen's Land to avoid problems in future settlements such as that of southern Australia. He wrote to Buxton:

I am very glad to find that you have taken up the cause of the aborigines of those countries to which the exuberant population of England is now transferring itself; and I do not hesitate to declare it as my opinion, that the very first consideration on the occupation of every new territory, should be the best mode of protecting the natives from violence and injury; for when once in the beginning, anything like a heartless, or cruel, or overbearing disposition has been developed on the part of the white stranger, mutual distrust and enmity, which years of conciliation and kindness will not efface, are the inevitable consequences, alike distressing to a humane spirit, and fraught with the most painful results to both parties.⁴⁶

Arthur seemed to regret that the settlement of Van Diemen's Land had reduced the Aboriginal population 'almost to annihilation' and thought the British Government had

committed a huge oversight by choosing not to negotiate a treaty when Europeans first settled the area.⁴⁷ He argued that the settlement of Port Phillip offered a unique opportunity to use the knowledge gained from the Van Diemen's Land experience to improve the situation for Aboriginal people elsewhere.

Buxton had already been considering the idea of a 'protector' and wrote to his friend Dr Phillip on 30 September 1834, well before Arthur's letter would have arrived from Australia: 'What are the measures which I should aim at for the benefit of countries where we make settlements? I have thought of a protector through whom all bargains shall be made, that they may not be cheated out of their land.'⁴⁸ The idea of an administrative protectorate was not new. Britain had a Protectorate government during the seventeenth century when Oliver Cromwell was the self-styled 'Lord Protector of the Commonwealth of England, Scotland, and Ireland'.⁴⁹ The determination of the need for a 'protector' of Aboriginal people was a logical extension of this notion of protectionism. Arthur's correspondence became part of the evidence presented to the Select Committee and the idea of appointing individuals with the duty of protecting Aboriginal people in British colonies one of the main recommendations of the Select Committee on Aborigines.

Sir George Grey, who was still in attendance on Buxton's Committee, reported back to the Colonial Office about the progress of the inquiry and its findings merged with Arthur's proposals to create an experimental policy. Under-Secretary Grey clarified the role of a 'Protector of Aborigines' to Alexander Spearman, Assistant Secretary in the Department of Treasury, in January 1836:

The Protector must unavoidably lead a migratory life, and must often be absent from the seat of government, to hold personal communications with the object of his care. To impose duties of this kind on the Advocate General and Crown Solicitor would be obviously impracticable . . . It is further of vital importance that the Protector should be in every respect unconnected with, and independent of, the local government or any member or functionary of the government. On this complete separation depends the utility of the office.⁵⁰

Although Glenelg did not want the Flinders Island people moved to southern Australia, Arthur's promotion of Robinson's work and probably Robinson's own reassurances that he could conciliate with the Aboriginal people across the Tasman gave Glenelg confidence in his abilities. At this time Glenelg was concerned with the establishment of two emerging settlements in southern Australia; the Colony of South Australia and the District of Port Phillip. Arthur pointed out to Glenelg that the British Government owed Robinson a pension of £200 and a gratuity of £1000 that it did not need to pay if the Colonial Office retained his services.⁵¹ Considering all these issues Glenelg decided to offer Robinson the position of Protector of the Aborigines in the Colony of South Australia where he would report to Governor Hindmarsh.⁵² Glenelg wrote to Arthur on 11 February 1836 offering the position to Robinson or his son on an annual salary of £250. He explained that reading Arthur's report, in which he described the good character and achievements of Robinson and his son, 'assures me that I could not better consult for the welfare of the Aborigines of South Australia than by requesting you to recommend either the one or the other of those gentlemen to Captain Hindmarsh for the office of Protector'.⁵³ Robinson, however, refused the post because he considered the

salary too low. Arthur did not give up and put forward Robinson's name again in June 1837. Glenelg reconsidered Robinson this time for the post of Chief Protector in Port Phillip at £500 per year.⁵⁴

Select Committee Suggestions

Buxton finalised the Select Committee's report at his home, Northrepps Hall, with the help of his friend Dr Phillip and other members of his family including his daughter Priscilla, her husband Andrew Johnston and his wife's cousin Anna Gurney.⁵⁵ Anna Gurney, in particular, undertook so much of the work writing up the Committee's findings that within Buxton's family it was known as 'Aunt Anna's Report'.⁵⁶ After Buxton completed his version, Sir George Grey revised the whole document before it was presented to the House of Commons, which sent it for printing on 26 June 1837.⁵⁷ The report summarised the evidence heard by the Committee before going on to make a number of 'suggestions'. Initially general recommendations were made about all the British colonies regarding the administration of protection, employment, sale of alcohol, land regulations, religious instruction, secular education, the punishment of crimes, treaties and missionaries. The report then made specific suggestions for each country. Regarding the Australian colonies, the Committee proposed the appointment of several protectors who were to work as an adjunct to missionary activities. The protectors were to develop a fuller understanding of Aboriginal people and their language. They were to act as magistrates and educators, and to produce regular reports for the British Government that gave statistical information about Aboriginal people. A little over two pages contained all of the Select Committee's suggestions regarding the Australian

colonies but they were to be the foundation of Glenelg's instructions to the men appointed for the protection of Aboriginal people in the Port Phillip District.

The message contained in a despatch from Glenelg to Governor Bourke of 26 July 1837 demonstrated the success of Buxton and his inquiry in persuading the Government to make a clear statement about the rights of Aboriginal peoples. Glenelg informed Bourke that all the Aboriginal people within his territories

must be considered as subjects of the Queen, and as within Her Majesty's allegiance.

To regard them as aliens, with whom a war can exist, and against whom Her Majesty's troops may exercise belligerent rights, is to deny that protection to which they derive the highest possible claim from the sovereignty which has been assumed over the whole of their ancient possessions.⁵⁸

Glenelg further directed that Bourke investigate and initiate an inquest into all Aboriginal deaths at the hands of the 'Queen's officers, or of persons acting under their command'. Glenelg explained that the instigation of these proceedings was important 'not only as a direct protection to society at large against lawless outrage, but as it impresses on the public a just estimate of the value of human life'.⁵⁹ This was another important outcome of the Select Committee and clearly indicated a change in the British Government's attitude to the Aboriginal peoples they had dispossessed.

In January 1838 Glenelg wrote to Bourke's successor as Governor of New South Wales, Sir George Gipps, notifying him that he had appointed five individuals who were to protect Aboriginal people. Forming a specific department of the administrative

government in Port Phillip, these appointments were the basis of a system of management commonly referred to as the Protectorate. Glenelg also sent Gipps a copy of the Committee's suggestions from Buxton's inquiry writing: 'I have the honor to communicate to you that H.M. Govt. have directed their anxious attention to the adoption of some plan for the better protection and civilisation of the Native Tribes within the limits of your Government.'⁶⁰ The Protectorate, made up of a Chief Protector and four Assistant Protectors, comprised Glenelg's attempt to fulfil the government's directives resulting from the Select Committee inquiry.

La Trobe's appointment to Port Phillip

While Glenelg struggled with the implementation of the Select Committee's recommendations, he also had to make a decision about the appointment of a superintendent in the new Port Phillip settlement. He had made provision for the care of Aboriginal peoples in the district but Glenelg still needed to find someone suitable to manage the whole region. When the Select Committee delivered its report, La Trobe was still in the West Indies. In February 1837 Glenelg had asked him to complete a review of the state of education for the recently freed slaves in the West Indies and the schools set up by religious groups funded by the British Government.⁶¹ During his commission La Trobe visited and wrote reports about Aboriginal education in Jamaica, Windward and Leeward Islands, British Guiana and Trinidad.⁶² The Moravian Church had a presence in the Danish West Indies (now the Virgin Islands) since 1732 but other churches, including those of dissenters and Anglican organisations, also made places of worship and missionary schools for the conversion of the West Indian slaves.⁶³ After his arrival in

Kingston on 15 April 1837, La Trobe diligently visited every church or school he could find and developed a system of note taking to manage the information he gathered.⁶⁴ La Trobe's reports revealed his belief in the importance of education to an individual's moral and religious improvement, and ultimately, to their salvation. La Trobe praised the British Government's support of attempts to instruct West Indian people, writing in his report on Jamaica that 'every class of schools must be considered a blessing as long as they tend to impress moral and religious principles upon the minds of the coloured population'.⁶⁵ Another valued aspect of a Moravian education was the emphasis on self-discipline, typified by La Trobe's meticulous reports that were well received in the Colonial Office.

By the time the House of Commons had printed La Trobe's last report on British Guiana and Trinidad in August 1838, La Trobe was back in London.⁶⁶ While his experience in North America consolidated his views about Aboriginal peoples, La Trobe's work on behalf of the Colonial Office in the West Indies proved that he was an excellent and thorough public servant. These two factors combined demonstrated his suitability for the position of superintendent and his connections with leading members of the abolition movement confirmed it. Glenelg and his Permanent Under-Secretary of State for the Colonies, James Stephen, were both children of Clapham Sect members and were familiar with Christian Ignatius La Trobe's contribution to the abolition movement.⁶⁷ The protection of Aboriginal peoples was a priority for Glenelg and La Trobe's credentials as an Evangelical were important. La Trobe's Moravian upbringing and beliefs ensured that the 'intellectual and practical sympathies of the La Trobes converged with those of the Clapham Sect. The total abolition of the slave trade and the colonization of Africa in a

humane way were mutual ideals towards which they worked actively. Such ideals were undisputed for Charles Joseph, too.’⁶⁸ Glenelg felt confident enough in all these aspects of La Trobe’s character to appoint him to a senior position in the new settlement of Port Phillip in February 1839.⁶⁹

La Trobe arrived in Sydney on 25 July after his appointment earlier in the year and spent time with his superior the Governor of New South Wales, Sir George Gipps, before travelling to Melbourne. The two men had considerable respect for each other and La Trobe learned a great deal from Gipps who was a far more experienced colonial administrator. Gipps was particularly influential on La Trobe’s attitude toward the British policy of Aboriginal protection. They discussed the manner in which the British Government had set up the Protectorate and its importance to the Colonial Office. Gipps also revealed that he had serious misgivings about Glenelg’s appointment of Robinson as Chief Protector. When La Trobe received his commission as superintendent on 10 September, it was not surprising that his instructions from the New South Wales Colonial Secretary, Edward Deas Thompson, included the official declaration that

I am directed in a particular manner to invite your attention to the treatment of the Aborigines, and to the prevention as far as possible of collisions between them and the Colonists. For your information and guidance in this very important part of your duty, I enclose copies of the principal Government orders now in force respecting them, as also of the instructions which have been issued to the Chief Protector of Aborigines, and the Commissioners of Crown Lands.⁷⁰

Fulfilling these directions for safeguarding the humane treatment of Aboriginal peoples in Port Phillip was to prove one of the most difficult aspects of La Trobe's superintendency.

A CHALLENGING BEGINNING

While the British Government reviewed the situation in the Australian colonies and developed a plan for Aboriginal protection, Governor Gipps struggled with the increasing violence of Aboriginal and settler interaction in the Colony of New South Wales. He was not particularly supportive of the Protectorate system, preferring a military approach and the integration of Aboriginal people into European society. He also disliked having to finance the system entirely from colonial funds. La Trobe, on the other hand, saw military intervention as a last resort. His views were consistent with the humanitarian priorities of the Select Committee that created the Protectorate and he was genuinely concerned about the well-being of Aboriginal people. Despite these differences La Trobe and Gipps formed a close friendship and were able to negotiate when important issues arose, although as La Trobe's superior Gipps made the final decision. Their working relationship with Robinson, however, was problematic from the start. Both men clashed with the Chief Protector almost from the first time they met him and continued to view Robinson with suspicion and distrust. La Trobe considered Robinson a somewhat wayward employee, argumentative at times and often unable to fulfil the role of Chief Protector as La Trobe and Gipps expected. Robinson did not have the experience required to oversee his department efficiently and often ignored civil service protocol in terms of the submission of reports and other administrative paperwork. The inability of La Trobe and Robinson to find a way to work effectively together significantly eroded the development of a cohesive system of Aboriginal protection.

Governor Gipps

Gipps was a military man educated at the exclusive King's School and the Royal Military Academy. He joined the Royal Engineers in 1809 and served in the Duke of Wellington's army from 1814 to 1817 during the Napoleonic Wars.¹ He was posted to the Chatham naval dockyard in Kent for two years undertaking administrative duties before being transferred to the Colony of Berbice that, in 1831, merged with Demerara and Essequibo to become British Guiana.² During his time in Berbice, Gipps saw the effects of slavery on the Aboriginal population in the period before abolition. He returned to England in 1829 having 'given strong evidence of great capacity for civil business' and was put in charge of the Royal Engineers at Sheerness.³ The British Government also appointed him to work as a commissioner reviewing the administration of the electoral redistribution in Ireland and England anticipated under a proposed Reform Bill. In 1830 he married Elizabeth, the daughter of another military officer Major-General George Ramsay. In 1834 the Earl of Auckland, First Lord of the Admiralty, employed him as his private secretary. Three years later the British monarchy knighted Gipps after he submitted a successful report for the Colonial Office about his work as a Royal Commissioner in Canada.⁴ Gipps' official reports revealed him to be an effective bureaucrat with a liberal attitude that was in keeping with the reformist mood of the British Parliament in the 1830s.⁵ On the 5 October 1837 the Colonial Office offered him the post of Governor of New South Wales.⁶

Gipps arrived in Sydney seventeen months before La Trobe on 23 February 1838.⁷ The Select Committee on Aborigines had put forward its suggestions for the protection of Aboriginal peoples in the June before Gipps' appointment and so, like La Trobe, he had

no input into colonial policy on this issue. Gipps was concerned about the situation of Aboriginal people but he also defended the rights of European settlers and the need for colonial expansion. In the first decades of New South Wales settlement every governor ‘wished to show favour to Aborigines; every home government expected it’, but in reality the development of colonial society was completely at odds with the Aboriginal way of life.⁸ As the European community grew, successive governors felt more pressure to reflect the views of local settlers who wanted to feel safe from Aboriginal aggression and not the ideals of the British Government, which sought to improve conditions for the Aboriginal people. Like other Governors before him, a desire to please both the Colonial Office and settlers divided Gipps’ loyalties.⁹

Aggressions

Accounts of Aboriginal attacks on settlers’ stations and the dreadful retaliation meted out by Europeans in return confronted Gipps as soon as he arrived in Sydney. There were so many violent attacks occurring in the new settlement of Port Phillip that Lieutenant-Colonel Kenneth Snodgrass, who was in charge of the colony of New South Wales until Gipps arrived, had already sent a small force of Mounted Police to the district.¹⁰ Over a year later the aggressive behaviour was continuing and Gipps reported nine instances of conflict in a three month period and many other smaller incidents that he referred to as ‘outrages’.¹¹ Most of these involved Aboriginal people scuttling sheep or taking them but he also wrote of the death of a servant from William Bowman’s station north of Mt Macedon and of seven other men, employed by George and William Pitt Faithfull, who were attacked and killed by a group of Aboriginal people near present day Benalla.¹²

The death of the Faithfull brother's men on 11 April 1838 became widely known in the colonies as the 'Faithfull Massacre' and led to a retaliatory incident near Yaldwin's Station during which eight Aboriginal people died. On 27 April Gipps informed Glenelg of this and another incident where the Mounted Police, led by Major James Winniett Nunn, killed somewhere between ten and twelve Aboriginal people after they had 'fell in with' a group of around one thousand men, women and children in the Sydney district a month before Gipps arrived.¹³ Even as Gipps wrote other incidents were occurring and on 10 June news of a particularly horrific attack reached him. A group of convict shepherds committed a terrible atrocity upon around thirty Aboriginal men, women and children at Myall Creek north of Sydney. Without provocation, twelve convict shepherds decided to kill as many of the Aboriginal people they could find who frequented property owned by Henry Dangar. As Gipps described the event to Glenelg, the convict workers suddenly surrounded the place, where more than 30 of the blacks were assembled; they tied them all to a rope, in the way that convicts are sometimes tied, in order to be taken from place to place in the colony; marched them to a convenient spot, about a quarter of a mile off, and put them all, with the exception of one woman and four or five children, deliberately to death.¹⁴

The men tried to cover up their crime by burning the bodies of those they killed but Gipps acted quickly to send a magistrate and Mounted Police to the scene. The police captured eleven of the men and the local judiciary put them on trial. As a result of this court case, the judge convicted seven of the men of murder and sentenced them to death.

In the context of this recurring violence the Permanent Under-Secretary of State for War and the Colonies, James Stephen, was to note of the continuing ‘bloodshed’ in New South Wales; ‘The causes and the consequence of this state of things are alike clear and irremediable, nor do I suppose that it is possible to discover any method by which the impending catastrophe, namely, the extermination of the black race, can long be averted.’¹⁵ Without any obvious course of action and with the survival of Aboriginal people clearly in doubt, Stephen asserted ‘nothing that can be done ought to be omitted’.¹⁶

The only plan the British Colonial Office had to offer was that recommended by the Select Committee on Aborigines, even though it was experimental and lacked depth or detail. On his arrival in Sydney Gipps had received notification from the Colonial Office about the appointment of the protectors, a Chief Protector with four assistants. Glenelg sent him a copy of the Select Committee report with his despatch and expected Gipps to uphold the British Parliament’s policy.¹⁷ The Colonial Office gave Gipps little opportunity to object to their proposal and expected that the New South Wales Government would pay for it. The persuasive tone of Glenelg’s despatch to Gipps was evident in his discussion of the protector’s salaries and other expenditure for the Protectorate:

In fixing this Expenditure, H.M. Govt. have anticipated the Concurrence of the Legislative Council of your Government in voting the necessary Sum for meeting the Charge. The object contemplated is so important, and the obligations which rests on the Colonists to do their utmost for the protection and civilization of the Native

Tribes, so imperative, that I am convinced no further argument is necessary to induce a cheerful co-operation on their part in the measure now adopted.¹⁸

Glenelg's despatches emphasised the importance of making it clear to the settlers that aggression towards Aboriginal people was inappropriate and must stop but Gipps hesitated.

The Mood of the Colony

Many New South Wales settlers were desperate for their own protection from perceived Aboriginal hostility and Gipps was cautious not to inflame these feelings with general statements about the rights of the Aboriginal population. He was also concerned about the New South Wales Executive Council voting funds for the Protectorate when most squatters held the opinion that settlers were the most important victims of frontier violence. In April 1838 Gipps wrote to Glenelg that he would republish a notice warning European men not to forcibly take Aboriginal women, which Gipps thought was the cause of much of the antagonism. He also wanted to publish a statement informing squatters that the Commissioners of Crown Land would act as protectors of Aboriginal people in areas that were largely unsettled. Glenelg applauded this move but Gipps held back on the second notice for months believing that such a statement would 'produce a considerable sensation in the Colony' given that the investigation into Myall Creek attack had resulted in the execution of seven Europeans.¹⁹ Gipps was concerned about the potential further unrest caused by the inquiry into Major Nunn's actions, despite the Executive Council's decision to undertake proceedings in Invermein some distance from

Sydney.²⁰ Gipps did not send Glenelg the results of the investigation, which dismissed all charges against Nunn and the Police, until July 1839.²¹

Glenelg continued to push his case with Gipps. He emphasised the requirement that the governor support the Protectorate, along with other missionary activities devised to aid the Aboriginal population, and warned him against running the ‘risk of marring one of the few efforts that are in operation to atone to that injured race for the wrongs which we have inflicted on them’.²² Gipps, however, faced a financial situation far worse than the British Government had led him to expect before his appointment. Expenses exceeded the revenue of the colony and Gipps doubted that the Executive Council would vote funds for the Protectorate. He suggested instead that an appeal to the Executive Council may not be necessary as the Crown still had control over some of the revenue from the sale of Crown Land in Port Phillip.²³ The Colonial Secretary estimated that the ongoing costs of Aboriginal protection for 1840 would be £2668 but actual expenses were £5445.²⁴ Taking into account the expenditure for other parts of New South Wales, Gipps’ administration spent £7414 attempting to assist Aboriginal people in 1840.²⁵ Gipps wanted to improve economic management in the colony but feared ‘to new Taxes or to Bankruptcy we must come, if the ordinary revenue of the Colony is to be charged not only with all the expenses (amounting to £90,000 per annum), which have been transferred to it within the last few years but with all expenses of protecting the Aborigines’.²⁶

Gipps was cautious about spending money, ‘obsessed’ even, but his moderation also led to his failure to address adequately concerns about racial violence.²⁷ The *Sydney Herald*

lampooned Gipps' administration describing it as the 'do nothing' government.²⁸ He exercised great restraint over the issuing of supplies and rations to the Chief Protector's Department. The Colonial Office was similarly reluctant to release funds and it was Glenelg who had originally deemed that four protectors were adequate when Arthur had recommended ten. Gipps raised the issue of supplies for the protectors with the Colonial Office and the new Secretary of State for War and the Colonies, Constantine Henry Phipps, Marquess of Normanby, replied firmly that 'there appears to have been no promise or expectation held out to the Protectors under the authority of this Department of further emolument than that amount specified in the official despatch notifying the appointment of those Officers'.²⁹ By the middle of the 1840s the colony was experiencing a severe financial down-turn forcing Gipps to ask La Trobe for significant cuts to the Chief Protector's Department.³⁰ By the time Charles FitzRoy took over as Governor of New South Wales from Gipps in 1846, the financial drain on colonial funds had become excessive and in February 1847 FitzRoy asked La Trobe to consider closing the Protectorate.³¹ Many of these financial issues were beyond Gipps' control and although he was not convinced that the Protectorate would necessarily bring about improved relations with Aboriginal people, his need to mollify the Colonial Office and avoid his recall meant that he supported the Chief Protector's Department as best he could under the circumstances. Gipps was in a difficult situation and ill at ease with the competing demands his responsibilities to the British Government who appointed him and his obligation to the settlers of the colony of which he was in charge sometimes created.³²

The Chief Protector

The Colonial Office wrote to inform Gipps of the appointment of George Augustus Robinson as Chief Protector in January 1838.³³ Gipps' dislike of Robinson exacerbated his hesitancy about the success of the Protectorate. Robinson was a very different type of person to his superiors Gipps and La Trobe and, according to the mores of the time, of considerably lower social status. A self-educated, self-made man from the working-class, east end of London, Robinson's parents came from Lincolnshire and Somersetshire but moved to the city probably to find work. Robinson claimed his father was a bricklayer and a builder, although his name does not appear on any of the business registers of the time.³⁴ With only a basic education, Robinson left home at the age of eleven after his father died and his mother remarried. He found work in the same trade as his father and received regular income bricklaying in London and in the south of England.³⁵

In 1814 Robinson married Maria Evans who was from a similarly poor background and came from the same area of London. Robinson's biographer Rae-Ellis describes him, somewhat unflatteringly, at this time as nearly twenty-three,

thick-set, about 169cm tall and overweight. His nose was large and broad and his forehead expansive. His lips were full and sensuous. He was an extremely vain young man and one of his greatest personal worries centred on the top of his head. By the age of thirty-four he was as bald as an egg. The wig of auburn hair that he wore to conceal the hair loss was a nuisance throughout his life, but he took immense pains to avoid being seen without it.³⁶

In 1823, with five children in the family, Robinson made the decision to immigrate to another country. The cause of Robinson's departure from Britain may have been his involvement in some kind of financial scandal relating to the Church of England Missionary Society (CMS) but the details are obscure and contested.³⁷ At first Robinson travelled to Scotland leaving his wife and children behind in London. He intended to go to Nicaragua, but changed his mind settling on the Australian colonies instead. He left Leith on the *Triton* in early September, heading to Van Diemen's Land, intending that his family would follow on the next ship.³⁸

When Robinson arrived in Hobart Town he continued to work as a bricklayer and was able to take advantage of the building boom in the developing settlement to increase his social position and wealth. His success as a builder meant that he could take on several employees and invest in property of his own. Maria and the children, however, did not arrive in Van Diemen's Land for another two years.³⁹ The arrival of his family stretched Robinson's finances at a time when business was suffering due to the economic depression of 1826. When the Colonial Government advertised for a 'respectable' person to manage the Aboriginal settlement on Bruny Island in 1829, Robinson applied for the position as it was an opportunity for social advancement and a stable income. After an interview with Lieutenant-Governor Arthur, Robinson secured the job of storekeeper and administrator of the Bruny Island Aboriginal settlement with instructions to conciliate and educate the people who lived there.⁴⁰ Robinson had no experience with Aboriginal people to offer but an involvement with the Wesleyan Church in Hobart may have brought him favour with Arthur. He also had connections to the Church Missionary

Society and, in particular, to Thomas E Northover who had some association with the Evangelical movement.⁴¹

The Van Diemen's Land Government had undertaken military operations against Aboriginal people in an attempt to drive them off the mainland. The military approach failed, however, and Arthur came to rely completely on Robinson's ability to communicate with the remaining Aboriginal population in order to end the violence. Robinson's apparent ability to convince two hundred or so Aboriginal people to move off the Van Diemen's Land mainland and onto the Bass Strait Islands, earned him the gratitude of the Colonial Government. Despite the reality of the drastic decrease in the Aboriginal population, the Colonial Office applauded Robinson's work while at the same time despaired of the huge loss of Aboriginal lives. Arthur was well aware of Robinson's short-comings but he had ultimately brought peace to Van Diemen's Land as a result of his 'friendly mission' to the Aboriginal population. Persuaded by Arthur's recommendation, the Colonial Office offered Robinson the position of Chief Protector of the Port Phillip District in August 1837. Perhaps seeking new adventure, a challenge or just the possibility of further financial advancement, Robinson decided to take the position in Port Phillip on an annual salary of £500. The situation on the Australian mainland, however, contrasted starkly with what he had faced in Van Diemen's Land. As Arthur's official conciliator, Robinson had refined his approach to Aboriginal people and learnt the best way to communicate with them by showing respect for their customs and beliefs. He had managed to separate himself from any armed contact or show of force, preferring to cast himself in the role of a friend. Robinson was also able to use particular

Aboriginal people to ease the mediation process and legitimise his standing with Aboriginal groups.

In Port Phillip, where Robinson's administrative role and local circumstances were completely different to the situation he experienced in Van Diemen's Land, he could not continue his characteristic approach to dealing with Aboriginal people. Aboriginal groups in Port Phillip included a larger population of people who spoke a diversity of languages with which Robinson was unfamiliar. The British Government expected that all the protectors would act as magistrates and investigate criminal behaviour, initiate arrests and take depositions. Robinson could not easily disengage himself from a show of force when he was a representative of British authority and law. Where Robinson was used to conducting his work alone, he now had to direct and manage a staff of four Assistant Protectors. He was also required to fulfil administrative duties, directing his own department and submitting regular reports for review by local and British authorities. La Trobe closely supervised Robinson's actions in his new position and held him accountable for all his decisions and those of his assistants. The essential nature of his position was vastly different to his role as conciliator in Van Diemen's Land. The Colonial Office wanted him to implement a far more ambitious plan for the coexistence of Aboriginal people with white settlers, rather than completely removing them to another location.

Van Diemen's Land People in Port Phillip

Even before they had met face to face Robinson created trouble for Gipps when he requested that Aboriginal people from Van Diemen's Land accompany him to Port Phillip. Robinson had been pushing the idea for several years as a means of extending his 'friendly mission' into other parts of southern Australia. In February 1835 he had laid out the advantages of the move to the Colonial Secretary of Van Diemen's Land, John Montague. Apart from the many benefits for the Van Diemen's Land people themselves, Robinson argued that they would provide considerable assistance to his 'mission':

Firstly, by exciting curiosity in the minds of the New Hollanders. Secondly, in conveying supplies, they being more to be depended upon, than the Aborigines of the country. Thirdly, people of colour and especially the Aborigines of Van Diemen's Land, are preferable to white men for this particular duty: they can endure great privations'⁴²

Glenelg was initially against the idea and angry that Lieutenant-Governor Arthur may have exceeded his authority by negotiating on the subject with the Governor of New South Wales. Observing Robinson's claim that the move would be beneficial to the Van Diemen's Land Aboriginal people because they were lacking adequate supplies of food and were particularly susceptible to illness in their current location on Flinders Island, Glenelg requested a full report of the situation. Robinson had moved with the Aboriginal people in his care from Bruny Island to Flinders Island, also in the Bass Strait, continuing in the job of administrator. His reports to the British Government about the situation at Flinders Island, however, were contradictory. Robinson promoted his work as administrator and claimed responsibility for the improved well-being of Aboriginal

people, but at the same time requested their removal to southern Australia fearing they would die if they stayed.

While Robinson's final report on Flinders Island was pending, the Colonial Office offered him the position of Chief Protector in Port Phillip. The idea of moving the Van Diemen's Land Aboriginal people to Port Phillip became more palatable when the Colonial Office realised that there was an opportunity to defray some of the costs of the Protectorate across the two colonies as a consequence. Permanent Under-Secretary James Stephen from the Colonial Office explained the situation to the British Treasury, 'the charge of maintaining the Van Diemen's Land natives, and the payment of a portion of Mr Robinson's salary equal to the remuneration which he now receives for superintending them, viz, £250 per annum, should continue to be defrayed from the revenues of Van Diemen's Land'.⁴³ In his despatch of 8 January 1838 Glenelg expressed his satisfaction with Robinson's last Flinders Island report but decided to delegate the decision about the removal of Aboriginal people to the new Lieutenant-Governor of Van Diemen's Land, Sir John Franklin. After visiting Flinders Island himself, Franklin felt satisfied that the people there would be happy to shift but Gipps questioned the viability of the plan.

Settlers in Port Phillip voiced considerable opposition to the notion of bringing Aboriginal people from Flinders Island to the District. Many settlers believed that the Van Diemen's Land Aboriginal people were particularly aggressive and feared more violence would result from their presence in the district. The idea, explained Gipps, 'was no sooner known, than it was met with the most decided opposition by all classes in the

Colony, and even in the Council I could not find a single Member who would look on it favorably'.⁴⁴ Not wanting to aggravate Robinson, who had just arrived in Sydney, and probably to avoid taking full responsibility for the decision himself, Gipps encouraged the Legislative Council to call for an inquiry into the 'present state of the Aborigines'.⁴⁵ The Council appointed a Committee on 14 August 1838 and nominated the Church of England Bishop of Australia, William Grant Broughton, as chair. The inquiry was a ruse to allow the Legislative Council to examine Robinson in person. Gipps suggested that 'the account he might give them of his success with the Aborigines of Van Diemen's Land, and of the state of civilization to which those at Flinders Island had advanced under his care, might induce a more favourable view of the subject'.⁴⁶ The Council, however, upheld Gipps' view and did not change its mind as a result of discussions with Robinson. Gipps mollified the Chief Protector by telling him that he could bring one family with him to Port Phillip.⁴⁷

The whole incident did little to reassure Robinson that he had the support of the governor or of the Colonial Office. Robinson felt that most of those in authority, and Gipps and Broughton in particular, were against him.⁴⁸ Gipps doubted Robinson's motives and his ability, and there were some in the Colonial Office who were similarly dubious about the Chief Protector. An interesting minute attached to Gipps' despatch to Glenelg of 10 November 1838, in which he revealed the inquiry's findings, indicated that there was significant scepticism about Robinson in the Colonial Office. Noting Robinson's representation of the Aboriginal people on Flinders Island and, in particular, their rapid decline, James Stephen observed that 'his motive for removing them to New Holland was not the hope of arresting this mortality, which he regarded as inevitable, but rather the

wish to throw a veil over an event which he thought it desirable to withdraw from the knowledge of mankind'.⁴⁹ Not everyone in authority was as convinced as Lieutenant-Governor Arthur of Robinson's sincerity and expertise in assisting Aboriginal people.

A Different Kind of Place

Robinson frustrated Gipps immediately when they actually first met. Gipps expected Robinson to elaborate in detail about the way he planned to run the Protectorate but Robinson was waiting for the Governor to tell him what to do. Robinson received a warm welcome in Sydney from the newly formed branch of Aborigines Protection Society and other non-conformist churchmen like Rev. Ralph Marsden and Dr John Dunmore Lang. Local newspapers like the *Colonist* praised him as a successful conciliator in Van Diemen's Land.⁵⁰ He also impressed the Colonial Office with his final report on Flinders Island. Glenelg employed him as Chief Protector on the basis of this reputation, his knowledge of Aboriginal people and his ability to communicate effectively with them. In practice, however, Robinson's 'removal' amounted to little more than the displacement of a couple of hundred people who had almost no other options available to them from their homeland to an island in the Bass Strait. Robinson's knowledge of Aboriginal culture and society was not as extensive as it needed to be and the death rate of Aboriginal people under his care at Flinders Island was high. Interestingly, the new Lieutenant-Governor of Van Diemen's Land, Sir John Franklin, reported that the life-span for Aboriginal people at Flinders Island improved following Robinson's departure.⁵¹

Robinson's short-comings quickly became obvious to Gipps. Despite his reassurances to the contrary, Robinson had no answer to the problem of conflict in Port Phillip and no experience with the mainland Aboriginal people of Southern Australia. When Gipps asked him directly what his approach would be to resolving the violence between Aboriginal people and settlers, Robinson gave him a vague strategy. He wanted to establish a similar settlement near Melbourne to that of Flinders Island with perhaps some other, smaller outposts set up in remote areas under the management of the Assistant Protectors.⁵² Having few ideas of his own about the daily work that his assistants should undertake, in the years that followed Robinson continually returned to Glenelg's original instructions about the role of the Protectors even when it was clear they were inadequate and impossible to fulfil.

Gipps and La Trobe

After La Trobe arrived in Sydney on 25 July 1839 Gipps seems to have prejudiced La Trobe's attitude to both Robinson and the Protectorate. Both men agreed that the British Government had a moral obligation to protect Aboriginal people. Gipps continually reassured the Colonial Office that 'there is no subject to which my attention has been more anxiously directed than that of the Protection and Civilization of the Aborigines of this Country'.⁵³ Gipps' contact with the protectors in the months before La Trobe arrived, however, made him dubious about the success of the British Government's plan for improving conditions for Aboriginal people in Port Phillip. While he told the Colonial Office that he was doing his best to implement their strategy for Aboriginal protection, Gipps' attitude to Robinson and his treatment of the Assistant Protectors when they

arrived indicated that his actual commitment to the Protectorate experiment was questionable.

Gipps had his own ideas about the best approach to dissuading acts of aggression between Aboriginal people and settlers. An army officer, he liked the idea of a cohesive, militarily inspired approach where the protectors worked as front line negotiators reinforced by Crown Land Commissioners, ordinary magistrates and Mounted and Border Police.⁵⁴ Gipps understood that the economic development of New South Wales relied on keeping open the line of communication between Port Phillip and Sydney. He decided to augment his strategy of conflict avoidance by setting up military posts along the road between Melbourne and Sydney to protect convoys from Aboriginal attacks.⁵⁵ La Trobe, on the other hand, agreed to military intervention only when absolutely necessary. Both men wanted to alleviate the desperate situation Aboriginal people were in but, contrary to Gipps, La Trobe thought the separation and education of Aboriginal people away from settlers would achieve this goal. He put his faith in British law and missionary type activities that sought to convert and ‘civilise’ Aboriginal people. While some of La Trobe’s views differed from those of Gipps, the two men soon agreed that there were insurmountable problems within the Chief Protector’s Department that began with the Chief Protector himself.

The Trouble with Robinson

Gipps did not like Robinson, they were from vastly different social backgrounds and Robinson’s lack of experience as an administrator annoyed him. Gipps was critical of

Robinson's habit of writing overlong reports and letters that did not summarise the main points and issues that were relevant. This became particularly noticeable after Robinson first arrived in Port Philip on 28 February 1839. At the time he corresponded directly with Gipps because La Trobe was yet to take up his post. In a comment to the Sydney newspapers Gipps described the Chief Protector as a man 'very fond of his pen' who had 'troubled him with a good number of letters and that in consequence he had refused Mr Robinson a clerk' hoping that this would lessen the length and frequency of correspondence.⁵⁶ Gipps couldn't resist complaining about Robinson to La Trobe. In one of his earliest letters to the Superintendent, Gipps alluded to his arguments with Robinson but refrained from writing too much about it declaring, 'I do not wish to inflict a correspondence à la Robinson upon you'.⁵⁷ Over the years Robinson's habit became a serious matter and combined with his inability to produce reports in the format required, resulted in a series of reprimands from both La Trobe and Gipps. While these reports are an invaluable source of information about Aboriginal people and the Protectorate today, in 1841 Gipps complained that

the Chief Protector instead of arranging and methodizing the business of his Department and bringing forward such points only that require the decision of Government, seems to be in the habit of transmitting to Your Honor, almost the whole of his correspondence with his Assistants, and these papers are for the most part transmitted to His Excellency without note or comment or anything to direct attention to the points on which decision is required.⁵⁸

Robinson's Clash with La Trobe

Forewarned by Gipps, it was not surprising that La Trobe immediately distrusted Robinson. In his description of their first meeting Robinson revealed that La Trobe already had doubts about the Chief Protector's motives and had questioned him about his proposal to take over the Anglican teacher George Langhorne's old government mission site in Melbourne as a personal residence. La Trobe would not allow Langhorne to be thrown out of his home and told Robinson in no uncertain terms that he 'must have only one object in view – the blacks and the blacks alone' or he would never succeed.⁵⁹ Robinson complained in his journal about the way La Trobe spoke to him and when the Superintendent questioned him about what he had been doing since his appointment protested that 'whatever might be said or thought I had not been idle, I had been wholly and I may say usefully employed. I have been sedulously engaged in acquiring the language of the natives, acquiring their customs and manners'.⁶⁰ Later La Trobe expressed his support for Robinson, perhaps trying to smooth over the difficulty of their first meeting. He wrote to Robinson on 18 October:

I beg again to assure you that I shall always be ready to assist you in any way in my power, consistently with other duties imposed upon me in the situation which I hold, and that in doing so, are happy to say, that I shall be acting equally in accordance with the instructions I have received from His Excellency and with my own feelings.⁶¹

While La Trobe took time the same day to explain the requisition process in detail to Robinson, his continued lack of attention to detail and ad hoc attitude to financial matters became too much for his superior. La Trobe's dedicated and methodical nature clashed with what he saw as Robinson's careless approach to his duties as Chief Protector.⁶² For

his part, Robinson variously described La Trobe in his journals as ‘a proud man’, ‘dictatorial’ and ‘contrary’.⁶³

An Inadequate Book-keeper

The next month La Trobe made the first of a series of protests to Robinson about the inadequacy of his book-keeping. According to La Trobe Robinson regularly forwarded requisitions to the Superintendent without counter signing them, he didn’t fill out the correct paperwork, he used the wrong forms (to which La Trobe responded by having some specially printed for the Chief Protector’s Department) and he allowed his Assistant Protectors too much leniency when approving expenditure.⁶⁴ La Trobe tried many times to change Robinson’s behaviour asking him to organise his Department properly and take some responsibility for all its workings. La Trobe passed over many irregularities in Robinson’s record keeping hoping, he wrote to Robinson, ‘that time and patience would enable you to correct error both in your Assistants and in your method of transacting business’.⁶⁵ Robinson and La Trobe disagreed over financial arrangements in the Department when the Chief Protector requested a paid clerk and La Trobe told him that he must pay for such assistance himself. Robinson threatened to resign, as he did several times over the period of the Protectorate.⁶⁶ Eventually La Trobe gave up; he wrote to Robinson and informed the Colonial Secretary about the inadequacy of the Chief Protector’s reports stating:

I must again remark upon the very great irregularities observable in the transmission of these reports and upon the exceedingly small amount of really usefull information contained by them. I cannot forward these documents to His

Excellency without expressing my opinion that after nearly three years trial there is but little apperance of order and general system observable in the conduct of your Department and that as at present instituted, I cannot hope for their establishment.⁶⁷

A year later Robinson's lack of concern for detail forced La Trobe into refusing to sign pay claims from the Chief Protectors' Department until they appeared on the right forms.⁶⁸

The Chief Protector's Duties

La Trobe was critical of the way Robinson undertook some of his other duties as Chief Protector as well. He complained to the Colonial Secretary about Robinson's system of tracking Aboriginal attendance at the reserve stations, necessary for the provision of crucial information about population numbers and diversity. The paucity of useful information provided by the Chief Protector's Department about Aboriginal people frustrated La Trobe and made it difficult for him to give proper consideration to decisions about the Protectorate. La Trobe openly criticised the Chief Protector's methods writing: 'I cannot understand the utility of each such mode of computing the attendance at the Aboriginal Stations as that adopted by the Chief Protector in the first instance which he cites'.⁶⁹

In 1839 La Trobe thwarted Robinson's suggestions for the reorganisation of the Aboriginal Police Corps, then under the command of the Police Magistrate, into a central Native Police. Robinson wanted a single group under the direction of a superintendent.

La Trobe argued that the Native Police would then have to be run from the Chief Protector's Department and he thought this unwise given Robinson's lack of his administrative skills. He also believed it would be difficult to find an appropriate person to fill the role of the Superintendent of Native Police.⁷⁰ Instead La Trobe recommended that a small number of Native Police under the direction of each of the Assistant Protectors to assist them in communicating with the tribes under their care would be adequate. The Assistant Protectors had already requested extra support of this nature.⁷¹ La Trobe thought it appropriate that he allowed the Assistant Protectors to select suitable Aboriginal men from their districts to become Native Police. This action completely undermined the Chief Protector's status in his own department. For Robinson the affront was particularly annoying because Gipps had already approved of the idea before La Trobe arrived. La Trobe told Robinson directly:

it appeared to me that there were good reasons for doubting the propriety of establishing this body upon precisely its old footing seeing that you were hardly aware that the responsibility of exerting proper control over them and of dictating the scope of their duty would necessarily fall upon you personally, and must now be vested in your hands, instead of those of the Police Magistrate as heretofore.⁷²

La Trobe also questioned Robinson's reputation as a conciliator and his ability to exert a positive influence on Aboriginal people. The Chief Protector spent a considerable amount of time travelling around the Port Phillip District but found it challenging to effect any lasting change through his discussions with Aboriginal people.⁷³ Of particular concern for La Trobe was the Chief Protector's failure to keep Aboriginal people away from major towns.

La Trobe believed the proximity of Aboriginal people to white settlers brought them in contact with vice and disease. He was emphatic that the two groups must stay away from each other as much as possible. When in July 1840 one of the Assistant Protectors complained that Aboriginal people had been driven away from the township of Corio (Geelong) by the Police Constables, La Trobe declared his support for this action stating: ‘The native obtains a little food and a reward, and he carries away with him vice, disease, and the means of both injury to himself and his neighbours. I am convinced it is our duty to keep them away from the towns’.⁷⁴ The inability of the Protectors to persuade Aboriginal people to avoid settled areas troubled La Trobe. The situation became more serious when Aboriginal people gained possession of firearms.

Resorting to Major Lettsom

Towards the end of 1840 an incident occurred that set Robinson and La Trobe even further at odds with each other. In early October La Trobe sanctioned the use of troops to remove several hundred Aboriginal people from the banks of the Yarra in Melbourne. La Trobe felt driven to the use of the military, despite previous claims that he wished to avoid it.⁷⁵ He was in an unenviable position because he felt the Protectors were taking too long to achieve their goal of pacifying Aboriginal people through Christian conversion and ‘civilisation’ resulting in no discernible decrease of violence in the District. In March 1840 La Trobe offered Robinson the use of two Border Police to assist him in dealing with alleged attacks on sheep stations in the Goulburn District. The Aboriginal leader Winberry led the group Robinson thought was responsible, but even

more threatening was their possession of firearms. The local Mounted Police and another Protector assisted Robinson but he was unable to stop Winberry continuing on to Melbourne with what the Chief Protector believed was the intention to war with a rival tribal group.

La Trobe had given Robinson all the support he could and left it to his ‘discretion’ to use the police as ‘may appear proper to you when on the spot and fully aware of the real circumstances of the case’.⁷⁶ There was a sense in La Trobe’s instructions to Robinson, and other correspondence, of his disappointment that Aboriginal people did not behave in the passive manner he expected. The need to resort to the use of military force as a consequence irritated La Trobe. In his letter to Robinson, the Superintendent expressed his growing awareness that Aboriginal people were not the submissive victims he had anticipated:

It is with very great regret, that, making all the allowance that may be desired for exaggeration and misstatements I am forced to believe the fact, that the blacks in this part of the country are in divers instances not only in possession of fire arms and have the means at all times of procuring ammunition but are fully aware of the power which that possession invests them with. It would also appear that there are parties among them sufficiently shrewd to surmise that the hands of the settler are tied in the defence of his property and who are tempted to act with the greater boldness and to commit the more open aggression on that account. How the evils, that such a state of things threatens are to be prevented without the employment of a certain degree of force I am at a loss to discover.⁷⁷

With the number of Aboriginal attacks increasing and with the threat of the use of arms evident, Gipps wrote to La Trobe in August informing him that he was sending Major Samuel Lettsom from the 80th regiment to Port Phillip ‘to enquire and report’ on the outrages taking place in the Goulburn District. Lettsom had a party of Mounted Police with him whom he commanded but Gipps instructed Lettsom that he was to act only as a civil magistrate not in a military capacity. Gipps and La Trobe clearly felt unsure of Robinson’s expertise as a negotiator. As Gipps declared, ‘If I had full confidence in the ability and activity of our Chief Protector, it wd. have been proper to employ him on this Mission’.⁷⁸

La Trobe commissioned Lettsom on 26 September to search for and apprehend those guilty of the incursions in the north-east of the Port Phillip District. The involvement of Lettsom was not something he undertook lightly. La Trobe had already sought assistance from the Border Police but they were ineffectual in stopping the violence. By October a large group of around four hundred Aboriginal people had gathered in Melbourne including Wada wurrung, Woi wurrung, Bun wurrung and Daung wurrung peoples.⁷⁹ According to Robinson, they were preparing to fight each other and had been gathering firearms in anticipation of an attack. As the Protectors were unable to intervene or convince the Aboriginal people involved to relinquish their weapons or leave Melbourne, La Trobe decided to send in Lettsom to seize the firearms and disband the group before any extensive violence occurred. Robinson was against the idea and argued with La Trobe who, in Robinson’s words, ‘said if I would not consent to force he apprized me that he washed his hands of further responsibility and consequence’.⁸⁰ Robinson was put-out that La Trobe had taken over the situation and quarrelled with Lettsom who,

Robinson complained, ‘did not treat me or my opinion with common courtesy. I at length said I had a duty to perform, mine was persuasion I knew the nature of my instructions and how to act and presumed he knew his business’.⁸¹ On the morning of 11 October 1840 Lettsom rounded up most of the men, women and children from the groups who had camped on the Yarra and imprisoned them. His troops put some of the people in chains to prevent their escape. Two fatalities occurred when Lettsom’s men shot Winberry during the fracas, as well as another individual trying to escape from the lock-up.

A Loss of Confidence

In the days preceding the forcible removal by Lettsom of Aboriginal people in Melbourne, La Trobe had noted that ‘The Constables & Police cannot effect the removal of Aborigines from the town & neighbourhood, without employing force’.⁸² Lettsom was a last resort. La Trobe pushed for the Major to work with the Protectors but they were resistant to the idea. La Trobe noted Lettsom’s difficulty in ‘reconciling the execution of the duty entrusted to him with the views of the Protectors’ but authorised him ‘to employ the means at his disposal in such a manner as to overawe opposition, & secure the capture of the guilty parties – avoiding by all means shedding of blood if possible’.⁸³ After the event La Trobe wrote: ‘Only 2 lives lost’.⁸⁴ Lettsom’s treatment of Aboriginal people throughout the event appalled Robinson and some of the Protectors wrote to the Colonial Office in protest. The reality of managing the relationship between Aboriginal people and settlers had put Gipps and La Trobe at odds with their superiors in the

Colonial Office and their subordinates. The Lettsom raid had irreversibly damaged any hoped for confidence in the working of the Protectorate.

Robinson as Chief Protector

Robinson felt obstructed in his duties from the start and was never happy with the level of support La Trobe gave him. He was critical of the Colonial Government and even of the Protectorate system itself. As early as April 1839 he wrote in his journal:

What good have the government done at last for the natives? Have appointed officers to afford them legal protection without means to carry it into effect. What are the evils accruing to the Aborigines by occupancy of their lands by the whites? Disease of fatal character, hunger and distress, murder and rapine. By giving the Aborigines protection we in fact do nothing more than protect them from the depraved of our own race, which in fact is nothing at all for until the arrival of the whites they stood not in need of protection.⁸⁵

Robinson was angry that the colonial administration was not meeting his needs as Chief Protector and referred to Aboriginal protection as a 'farce'.⁸⁶ Robinson turned the blame onto Gipps and La Trobe. He declared their expectations too high and their support miserly:

His Honour thinks I should have the people under great command. He thought this three months since (now 23 December 39), so that in five months I, I who have no means for carrying out any measures, must in the brief period of five months do what fifty years has not been able to effect in any one part of the colony.⁸⁷

Robinson's continual dissatisfaction came to La Trobe's attention and he confronted Robinson in August 1841. La Trobe called upon the Chief Protector to declare his causes of complaint so the government could examine them and 'their reality proved or disproved'.⁸⁸ Interestingly La Trobe wondered if the source of Robinson's griping was the arrangements made for his appointment in Port Phillip and removal from Van Diemen's Land. La Trobe may have been referring to the financial arrangements made and the Colonial Office's deferment of Robinson's pension.

The inability to improve the Chief Protector's management of his department led La Trobe to give the Chief Protector more investigative duties that took him away from Melbourne and the Assistant Protectors. Robinson seemed to lose interest in the Protectorate, perhaps disheartened by a lack of support from La Trobe, and attended to his personal affairs more and more. He explored widely when on official trips around the District but soon took advantage of this work to indulge his passion for travel. After a five-month journey made from March to August in 1846, Sir Charles FitzRoy (the new Governor of New South Wales) and La Trobe reviewed the value of the Chief Protector's trips. They decided that Robinson's journeys did little to improve the situation for Aboriginal people in the Port Phillip District. La Trobe wrote to the Colonial Secretary that he had 'no hesitation' in stating his opinion 'as to the almost utter uselessness of the Chief Protector's occasional long excursions over the country, as far as the Aboriginal Natives are concerned'.⁸⁹ Robinson's journeys had also become the subject of public ridicule. The *Port Phillip Herald* published an article about Robinson titled 'The Lost One' that reported the Chief Protector missing on his travels. Although he later

reappeared half way between Melbourne and Adelaide, the point was that La Trobe had no idea of the Chief Protector's whereabouts.⁹⁰ In response La Trobe requested that Robinson confine his excursions strictly to his duties of visiting the Protectorate stations.⁹¹

In Robinson's absence La Trobe took over several of the Chief Protector's responsibilities and often communicated directly with the Assistant Protectors about their work.⁹² Robinson never really got along well with his assistants; he was highly critical of them and gave them little encouragement. He wrote in his journal that they were 'very indifferent and careless' and were 'not exactly the men for the service.'⁹³ Five years into the Protectorate Robinson seemed to have given up his aspiration to 'save' Aboriginal people from destruction and noted that they were 'rapidly on the decay'. The Chief Protector had 'apparently given up hope of rescuing them either through his own travels or his assistants' stations'.⁹⁴ He was deeply critical of the Protectorate system that in his summation was, 'instead of being as supposed a one sided policy and in favour of the Aborigines, is rather on the side of the colonists'.⁹⁵ Reporting to Governor FitzRoy at the end of the Protectorate period, La Trobe reiterated his belief that the office of Chief Protector was unnecessary;

there was no occasion to employ an officer under such designation, and that there were no duties connected with the protection of the Natives in the District, nor any practicable arrangement for their improvement, which might not be carried out by a much less costly agency.⁹⁶

For La Trobe, Robinson never lived up to his reputation in the role of Chief Protector and his inexperience had compromised the Superintendent's management of the Protectorate. Robinson, on the other hand, felt unsupported and unacknowledged by the Colonial Government that had appointed him.

The initial reservations expressed by Gipps and La Trobe about the success of the British Government's plan for improving conditions for Aboriginal people in the Port Phillip District seemed to be justified. Robinson's behaviour did little to dissuade them from their scepticism and their early loss of confidence in him destabilised their belief in the British plan for the protection of Aboriginal peoples. The poor relationship between La Trobe and the Chief Protector was not, however, the only determinant of the Protectorate's success or failure. The ability of Robinson's assistants to undertake their duties in the field was also a major factor in the attainment of the aims set out by the Colonial Office. Unfortunately, the Assistant Protectors were a disparate and unprepared group with no experience or understanding of the demanding task ahead of them. As Gipps commented, 'it would be difficult, I think, to find men less equal to the arduous duty of acting as protectors' of the aborigines, than those who were selected for this purpose in England in the year 1838'.⁹⁷ This was not entirely their own fault as the Colonial Office instructions were scanty, contradictory at times and misinformed. When the Assistant Protectors arrived in Port Phillip they realised that the reality of their situation was quite different to what authorities in London had led them to believe would be the case. This change in their circumstances impacted negatively on their capacity and willingness to carry out their work representing and caring for the Aboriginal people of their district.

UNFULFILLED EXPECTATIONS

While the relationship between the Superintendent and the Chief Protector was problematic, dissatisfaction and confusion among the Assistant Protectors seriously compromised the daily running of the Protectorate. The complete lack of clarity around the responsibilities of the Assistant Protectors and the unwillingness of Gipps to direct them or Robinson, led to frustration and anger. Used to working independently and with little responsibility for other employees, Robinson found it hard to work and liaise effectively with his Assistant Protectors. Robinson's communication with the Assistant Protectors was often negative and he complained about them regularly. Partly this was due to the ambiguity surrounding the role of the Assistant Protectors and the frustration of not having enough resources. When the Select Committee on Aborigines laid out the Protectorate plan, their report separated the work of the protector from that of the missionary, although they were to work together to assist Aboriginal people. The duties of the Protectors were largely secular in character and the report left religious instruction to catechists and missionaries. Unfortunately, such distinctions were lost when the Colonial Office left the selection and briefing of candidates for the protector positions to former Lieutenant-Governor of Van Diemen's Land, Sir George Arthur. In his discussions with the protector applicants, Arthur changed the emphasis of the role and, with one exception, selected family men closely associated with the Wesleyan Church. Arthur led these men to believe that their position in the new settlement would be 'respectable', with all their needs taken care of and with a particular focus on the Christianisation of Aboriginal people. By the time the protectors were able to take up their duties in Port Phillip, Arthur's misrepresentation of their role was clear. When La

Trobe arrived in Port Phillip in 1839, the experience of the Assistant Protectors since their appointment had left them feeling confused and betrayed by both the British and Colonial Government.

Choosing Protectors

Glenelg had relied on Arthur to advise him in the selection of a candidate for the position of Chief Protector and so he turned to him again when searching for men to fill the Assistant Protector positions. During this process, Glenelg also allowed Arthur to brief the Assistant Protectors about their duties. There was a sense of urgency about the need to appoint protectors in Port Phillip. Outrages against Aboriginal people were rife and only made worse by the continued encroachment of settlers on Aboriginal land. As James Stephen wrote from the Colonial Office in August 1837: 'It is the acts of aggression committed on the natives by the stock keepers and inferior agents of the colonists . . . that misunderstandings and conflicts with the natives are attributable. It, therefore, becomes a paramount duty to spare no precaution which may avert such disastrous consequences'.¹ The violence of British settlement in Van Diemen's Land clearly indicated that a similar disaster would occur in Port Phillip unless the Colonial Office put some sort of strategy in place.

Arthur drew on his associations within the Wesleyan Methodist Missionary Society in order to find suitable candidates for the four Assistant Protector positions. He had developed close ties with the Wesleyan missionary Joseph Orton who had taken up residence in Hobart in January 1836 as the Chairman of the Church's Van Diemen's

Land District.² An Evangelical, Arthur favoured the Wesleyan approach and supported non-conformist missionary endeavours beyond the colony of Van Diemen's Land. When Orton was looking for a suitable location to establish a mission to Aboriginal peoples, Arthur encouraged him to think about the new settlement of Port Phillip.³ Orton visited the District in April 1836 and wrote a report to the Wesleyan Methodists Missionary Society Committee in London recommending and laying out a scheme for the establishment of an Aboriginal mission.⁴ The Wesleyans sent Orton's report to the Colonial Office just as Glenelg was deliberating closely on the issue of protecting Aboriginal peoples. They recognised an opportunity to influence the appointment of the protectors and hoped to put men in place that would fulfil some of their own aims for the conversion of Aboriginal people.

When Arthur returned to London in early 1837, after his term as Lieutenant-Governor had ended, he sought suggestions for the position of Assistant Protector from the Wesleyan Church administration. Orton arranged for Arthur to meet with Jabez Bunting, who was Secretary of the Wesleyan Methodist Missionary Society.⁵ Bunting was able to put forward several names for Glenelg to consider resulting in a list of 'decidedly religious men of missionary spirit and character'.⁶ One of the men was James Dredge, who had no doubt that his preferment was due to the influence of Bunting to whom he wrote in 1841: 'As I owe my appointment to the office of Assistant Protector of Aborigines in this country to your kind interference and recommendation I have ever held myself under peculiar obligations to you'.⁷ The selection of individuals was challenging and initially Arthur requested an extension of time in which to do so, noting the importance of the task to the success of the Protectorate. On 15 December 1837

Arthur sent Glenelg a list of eleven potential candidates and a shortlist of four that he favoured in particular. Arthur interviewed each of the individuals on his list and instructed them about the duties they would be required to undertake in the new settlement. Arthur implored Glenelg to consider the appointment of more Assistant Protectors suggesting that ten would be an appropriate number considering the extent of the districts in Port Phillip they were to cover.⁸ Glenelg refused, having already decided that four assistants were enough, but agreed to follow Arthur's advice on the best candidates for the positions.

Curiously the first name on Arthur's list of candidates was an uncharacteristic choice and not a man chosen for his Wesleyan connections but rather for his aristocratic ones. Recommended by Lord Duncannon and Lord Falklan, Charles Wightman Sievwright was a thirty six year old military man.⁹ Born in Edinburgh in 1800, Sievwright was well educated and joined the British army as a young officer at the age of fifteen. By 1825 he had married Christina and gained a position as lieutenant in the Royal Fusiliers stationed at Winchester. As a senior officer in the Fusiliers, Sievwright served in the Ionian Islands of the Mediterranean and then in Malta.¹⁰ By 1836 Sievwright had accumulated a large gambling debt forcing him to sell his commission to pay it off. Leaving his family financially impoverished in Malta, he returned to London where he lobbied his elite connections in an attempt to secure other employment. Sievwright sought preferment with his old commanders; Lord Frederick Fitzclarence, who had been Lieutenant-Colonel of the Fusiliers in the Ionian Islands and for a short time in Malta, and the former Lieutenant-Governor of Malta, Major-General Sir Frederick Ponsonby. Sievwright also

had support from Ponsonby's brother Lord Duncannon and Lucius Bentinck, Viscount Falkland.¹¹

When Glenelg was looking for Assistant Protectors to go to Port Phillip in mid-1837, Sievwright's supporters recommended his appointment. Despite the loss of his commission, Sievwright's associates were important men who could influence Colonial Office appointments. Arthur even suggested that Sievwright was another potential Chief Protector, writing 'Mr Sievwright appears a very intelligent person, and his name is submitted in the confident expectation that he will prove a most valuable officer in the important service contemplated by Lord Glenelg; and if Mr Robinson does not accept the office of Protector, every expectation may be entertained that Mr Sievwright would discharge the duties of that situation in a very superior manner'.¹² Unfortunately Sievwright did not live up to this praise and the Colonial Office seriously questioned his suitability and ethics even before he arrived in Port Phillip. He only lasted a few years before La Trobe dismissed the Assistant Protector under a cloud of alleged misconduct, including that of an improper relationship with his daughter and of seducing Protector Edward Parker's wife. By August 1842 La Trobe had handed over most of Sievwright's duties to Dr John Watton, who was the medical officer in charge of the Aboriginal station at Mt Rouse in the Western District.¹³

The three other candidates for the role of Assistant Protector did owe their positions to Wesleyan connections. William Thomas was a forty-three-year-old school teacher recommended as a protector by the Dowager Lady Ilchester and a Miss Murray. Little is known about Thomas before he arrived in Port Phillip except that he was born in 1793 in

Westminster, England, and was well educated. Thomas established his own school in Old Kent Rd, London, that he ran for twenty one years before going to Port Phillip.¹⁴ Arthur drew Glenelg's attention to Thomas' suitability as an educator who, with the support of his wife, would 'most beneficially instruct the Aborigines, imparting to them, and especially to their children, habits of civilization as well as religious instructions'.¹⁵ The next person on Arthur's list was James Dredge, the forty one year old school master Bunting had suggested to Arthur. Born in 1796 in Britford near Salisbury, Dredge was already practising as a lay preacher before he went to Port Phillip.¹⁶ Arthur considered Dredge 'eminently qualified' for the position of protector as he was 'an intelligent, well informed, active and religious man'.¹⁷ Lastly Arthur put forward the name of Edward Stone Parker, another school teacher, aged thirty five. The son of a printer, Parker was an apprentice practising his father's craft before training as a Wesleyan minister. He broke his ministerial probation by marrying Mary Cook Woolmer in 1828.¹⁸ Parker and his wife were teaching in a Methodist day school in Lincoln's Inn Fields in London when he was 'strongly recommended' by the Wesleyan Methodist Missionary Society for the position of Assistant Protector.

Of the four Assistant Protectors, three were appointments suggested because they had come to the notice of the Wesleyan Missionary Society through their faith and their educational experience. Parker and Dredge were both lay preachers in Port Phillip who, along with Thomas, harboured unfulfilled missionary aspirations.¹⁹ Their writings reveal that a strong sense of a Christianising purpose pervaded their work with Aboriginal people. A desire to convert the Aboriginal population was an important factor in their decision to become Assistant Protectors. All of these men were educated and

‘respectable’. They were all teachers but as Arthur observed, they offered other trade skills as well. Parker had been apprenticed as a printer, Thomas’ son was an engraver and Dredge ‘had some acquaintance with the business of a carpenter or builder, and with the ordinary operations of agriculture’. Mrs Parker and Mrs Thomas were also trained teachers.

Sievwright, on the other hand, seemed motivated entirely by his need for employment rather than the nature of the job itself. He had been out of work for over eighteen months and had narrowly missed out on an appointment as a sub-inspector in the Irish Police before Glenelg offered him the role of Assistant Protector.²⁰ He was a military man and had shown no particular religious fervour or interest in Aboriginal peoples. Sievwright, like Thomas, had aristocratic connections that gave him a social credibility despite his lack of particular interest in the work. With support from Lord Fitzclarence, the illegitimate son of King William IV and Dorothea Jordan, it was improper for Arthur to ignore Sievwright’s application. Sievwright’s military service may also have appealed to Arthur who had similarly served in the army.

Arthur and Glenelg believed that the men chosen as Assistant Protectors should serve as social and moral role models to Aboriginal people. Arthur favoured married men and overlooked other candidates such as Mr Wardlaw, who was ‘very suitable’ but not married; ‘which I am obliged to submit is a very great disqualification’.²¹ Sievwright and the other candidates also had large families. Sievwright and Christina had seven children.²² Thomas and his wife had four children of their own and an adopted son.²³ Parker and Mary had six children when they arrived in Port Phillip and a daughter born

soon after in Sunbury. When Mary died in 1842, Parker married Hannah Edwards and had four more children, two of whom died in infancy.²⁴ Dredge and Sarah had four children.²⁵ Informed of their successful appointment as Assistant Protectors by the Colonial Office in December 1837, the men and their families prepared to leave Britain and sought passage on a ship to Sydney. The Colonial Secretary, Sir George Grey, wrote to that they would receive £100 allowance for their passage and other necessary purchases, half pay from the date of their embarkation with their full annual salary of £250 commencing when they arrived in New South Wales.²⁶ The Colonial Office made no specific consideration for their families.

By the beginning of February 1838, however, the Assistant Protectors were still in London. Parker, Dredge and Thomas all wrote to Under-Secretary Grey in the Colonial Office complaining that £100 was not enough to cover their expenses to Australia as ‘the cost even of a second rate passage will greatly exceed the proposed allowance’.²⁷ An advance on their salaries was required but Glenelg firmly replied that the Government would give no more. Another of Glenelg’s Under-Secretaries, James Stephen, made an interesting note about this issue. Stephen suggested to his superior that an advancement of salary would be risky because there was considerable doubt about whether the Assistant Protectors would live long enough to take up their duties. Perhaps he was referring to the perilous voyage to the colonies or maybe the violence between settler and Aboriginal people. At any rate, Stephen observed that there was a chance that the Assistant Protectors may never reach their stations and the money would be lost. The final decision was left to the Treasury who upheld Glenelg’s principle that an advance of salary should not be made. The Assistant Protectors were in an awkward position and had

to sell some of their assets in order to travel to Australia. Thomas, for example, had to put two leaseholds and his school up for sale but with a national system of education soon to be introduced, it was not a seller's market.²⁸ The need to buy passage for their large families put the financial position of the Assistant Protectors under strain before they even left Britain.

The four Assistant Protectors eventually arrived in Sydney in late 1838, nearly a year after the Colonial Office had appointed them. Thomas was the first to make it to New South Wales aboard the barque *Florentia*. He and his family left Plymouth on 11 April and arrived in Sydney on 3 August. The Parker and Dredge families left from London on board the *Elizabeth* on 28 April, enduring rough seas and an attempted mutiny on board before making it to Sydney on 23 September.²⁹ Sievwright was the last to arrive. Having left London on 24 June, he didn't get to Sydney until 14 November travelling on the *Lord Eldon*.³⁰ After all the Protectors had arrived, Governor Gipps wrote to Glenelg to inform him of their imminent departure for Port Phillip.³¹ Chief Protector Robinson had been in Sydney but returned to Van Diemen's Land, before officially taking charge of his Assistant Protectors, to organise his own relocation to Port Phillip and made plans to meet his staff in Melbourne at a later date. Gipps did little to welcome the Assistant Protectors who were dismayed that the Colonial Government has made no housing or other provision for them. They lived in tents for several months before Gipps arranged for their transportation to Port Phillip on board the barque *Hope*. Abandoned in Sydney, the Assistant Protectors had nothing to do until they reached Port Phillip where they waited for Robinson and his orders.

Instructing the Assistant Protectors

During Arthur's interview with each of the candidates for the position of Assistant Protector he described the duties of the position. Arthur explained that the Assistant Protectors needed to travel with the Aboriginal people of their districts and be a friend to them. They were to represent Aboriginal interests and rights, and defend them from harm. They were to educate Aboriginal children and teach the adults how to build homes and till the soil. The Protectors were to focus on the moral and religious improvement of Aboriginal people, learn their language, take charge of allocated provisions for their benefit and undertake a census of their population.³² Arthur took some of these points from the suggestions made by the Select Committee on Aborigines, but there were important differences between the Select Committee's proposals and Arthur's interpretation of the role of the Assistant Protectors. Arthur's views did not completely align with those of the Select Committee. As a consequence, he unwittingly gave the Assistant Protectors a false impression of their work and the conditions they were to expect in Port Phillip.

The Select Committee recommended that the Protectors 'claim for the maintenance of the Aborigines such land as may be necessary for their support'.³³ The Committee also thought the Protectors should act as magistrates and, in case of Aboriginal deaths, as coroners. Another suggestion was that the Protectors make recommendations for the development of a separate legal code for the regulation of Aboriginal behaviour.³⁴ Arthur did not include these suggestions when he briefed the Protectors about their role even

though these more legal and administrative tasks were what the Colonial Government expected them to do in Port Phillip.

The plan put forward by the Select Committee was not just for the appointment of Protectors but also for the encouragement of missionary activities. The Select Committee's proposals assumed that missionaries and protectors would be working together 'to protect and civilise' Aboriginal people in the Australian colonies.³⁵ When Arthur instructed the Assistant Protectors, he seemed to overlook this aspect of the Committee's report and gave responsibility for religious instruction and secular education entirely to the Protectors. This was in keeping with his decision to choose Protectors who were family men, teachers and lay preachers, but it gave a mistaken impression of their position. The influence of the Wesleyans on the appointment of the Protectors resulted in Arthur placing more emphasis on the moral and religious aspects of their skills rather than on their practical management experience.³⁶ Some of the Protectors accepted the position because they genuinely wanted to convert and 'civilise' Aboriginal people and did not understand that they would be required to undertake extensive secular duties as well. Unfortunately Arthur's reinterpretation of the role of the Assistant Protectors led to the resignation of James Dredge after less than a year of service in Port Phillip. Dredge felt completely misled by Arthur's explanation of the work he was to do as Assistant Protector and complained bitterly that 'The Office of Protector is strictly and exclusively Civil, and not religious, as it was represented it would be, at home.'³⁷

The confusion created by Arthur's briefing did not become apparent, however, until after the appointment of the Assistant Protectors in December 1837 and more acutely after their arrival in Sydney. Under-Secretary for War and the Colonies, Sir George Grey, wrote to the Assistant Protectors that they would receive further instruction regarding their responsibilities before they left England.³⁸ Yet a month later the Colonial Office decided it would be better if the Protectors received instructions from Governor Gipps not Glenelg least they 'be disposed to assume too great an independence of action and too little reference to the authority of the superior'.³⁹ Glenelg wrote to Gipps and outlined his version of the duties of the Protectors in January 1838 instead of briefing them himself. Glenelg repeated, many times verbatim, from Arthur's description of their role. One of the most important additions to Arthur's briefing of the Assistant Protectors was Glenelg's statement that the Protectors were to act as magistrates, although there is no mention of them taking on the role of coroner or developing regulations. He included Arthur's instruction that they attempt to educate Aboriginal children 'as it may be practicable' but put less emphasis on religious instruction. Glenelg advised that the Protectors promote, to the extent of their abilities and opportunities, the religious and moral improvement of Aboriginal people and prepare them for the reception of a 'teacher whose peculiar province it would be to promote the knowledge and practise of Christianity among them'.⁴⁰ Glenelg implied that missionaries not the Protectors would undertake the religious education of Aboriginal people. Where Arthur explained that one of the main reasons for the Protectors to learn Aboriginal languages was 'to administer stated religious instruction to them and their children in the dialects most likely to arrest their attention', Glenelg removed this statement from his instructions to Gipps.⁴¹

Glenelg expected Gipps to expand on this general outline of the duties of the Protectors and adjust their role according to the needs of the Colony. He also included a copy of the Select Committee recommendations in his despatch. If Gipps had come up with his own instructions based on these documents he would have produced a clearer statement of the Assistant Protector responsibilities and of the overall expectations of the Chief Protector's Department. The Governor of New South Wales chose instead to distance himself from the British Government's Aboriginal policy in Port Phillip and had little interest in the details. The Assistant Protectors followed the directions that Arthur had given them in his London briefings. Robinson, however, took his directives from the Select Committee Report. The confusion created by the existence of these two different interpretations of the role of the Protectors and the lack of any further detail in the form of a clearly articulated policy from Gipps meant that the employees of the Chief Protectors Department were often working at cross purposes.

Gipps and the Protectors

Gipps had no desire to engage in the development of the Protectorate as it represented an approach he did not particularly favour. As a result, he gave the Assistant Protectors little help after they arrived in Sydney and delegated responsibility for them to Robinson. After their arrival in Sydney the Assistant Protectors presented themselves to Gipps and dutifully wrote to him requesting further clarification of their position. Gipps had told them to prepare for their voyage to Port Phillip but, having been living in tents for weeks, they wanted to know if the government would provide houses for them at their next destination. The Protectors also asked for equipment and supplies so they could travel

around their districts as instructed. They were already concerned about their situation and had an inkling that in Port Phillip things would not be as Arthur had led them to expect. The Protectors tried to enlist Gipps' support, outlining the circumstances under which they had agreed to take up their positions: 'Having before accepting this appointment been informed that every requisite arrangement necessary to render the measure respectable and effective would be provided, we trust that His Excellency will be pleased to direct that such arrangements shall be made before we leave Sydney'.⁴² Unfortunately their letter did not result in the response they had hoped for. Gipps replied that the Protectors would not receive houses and the issue of supplies he left unanswered. Gipps merely repeated his request that they travel to Port Phillip and report to the Police Magistrate, who had been put in charge pending La Trobe's arrival. Despite Glenelg's encouragement Gipps left the Assistant Protectors for Robinson to deal with.⁴³

The Assistant Protectors persisted in their attempt to gain instruction from Gipps by writing to him yet again on 26 October 1838 and reminding him that Lord Glenelg had told them to 'present yourselves to Governor Sir G Gipps, who will inform you as to the District in which you will be employed, and instruct you in regard to the details of your office'.⁴⁴ They begged Gipps to fulfil his duty of providing them with 'full and adequate instructions' as they had not yet been referred to Robinson and could not communicate with him. Gipps' reluctance to provide for the Assistant Protectors led them to doubt the support they were going to receive from the Colonial Government for the work they were to undertake. Arthur had reassured them that the government would take care of all their needs with regard to rations, equipment and supplies, in addition to their salaries, as well as building materials and labour for the construction of their homes at the proposed

Aboriginal settlements. The Colonial Office intended that the New South Wales Colonial Government would make supplies available to the Protectors and pay for them but Gipps had other ideas. He was adamant that the Protectors would have to survive as other people did in the new settlement and would receive no special treatment. He would not provide rations and argued that the Protectors 'must manage in the bush as other people do'.⁴⁵ Gipps was not convinced that 'fixed stations' would be needed but if they were, he gave the Police Magistrate in Melbourne the power to provide supplies 'as may be in his opinion indispensable'.⁴⁶ Gipps also made arrangements for the transportation of the protectors to Port Phillip at government expense. As to the issue of instructions, Gipps reiterated that the protectors were to report to the Chief Protector when he arrived.

Both the Colonial Office in London and Governor Gipps in New South Wales rebuffed attempts by the Assistant Protectors to receive detailed instructions about their work. The British and Colonial Governments left the responsibility of clarifying the Protector's duties to Robinson but he had no plan for the Protectorate other than that the general statement he had initially given to Glenelg. Robinson did not arrive in Port Phillip until February 1839 and it took him several weeks to allot his assistants their districts. In the meantime, the Protectors lived in the most basic of conditions. Dredge resented the situation terribly and wrote to Reverend Watkin:

You will have fancied, perhaps, that the Aborigines' Protectors have all, 'ere this, gone into the Bush to take care of the poor Blackfellows pursuant to the intentions of the English Government by whom they were sent there many, many miles. I do not wonder at your thinking that such ought to have been the case I think so too. Nevertheless, here we are still. We have been here now fifteen weeks, living, like

Gipsies, in wretched tents – because, forsooth Sir G. G. can make no provision for our accommodation better than this. If we were single men, it might do well enough for a time, but for Women and children I assure you it is anything but bearable. Besides, the winter is now setting in, and the rains often fall heavily, and the nights are cold; and the present moment we have no other prospect but remaining in these comfortless abodes for a year or more to come – should our lives hold out so long. Unless, indeed, we chose to pay an enormous rentage in Melbourne – which our scanty Salary really will not allow.⁴⁷

Robinson took over from the Assistant Protectors in requesting instructions and supplies from Gipps but met with a similar resistance. In April Gipps wrote a curt note to his Colonial Secretary, ‘Inform Mr Robinson that it is out of my power to give him any precise instructions as to the way he is to proceed, whether in his intercourse with the Aborigines, or in the distribution of his Assistant Protectors’.⁴⁸ He ordered Robinson to stay within a strict budget but offered him the ‘widest discretionary powers’. Gipps stated he would judge Robinson’s work by its results and he clearly believed that the Chief Protector should not have needed any further instruction: ‘Mr Robinson received his present appointment because he is supposed to have acquired experience in these matters superior to that which is possessed by any other individual in this Colony, and he must therefore act for himself’.⁴⁹

When La Trobe reached Port Phillip in October 1839 the Assistant Protectors had only just gone out to their districts. La Trobe wondered what Robinson and his Department

had actually done in the year and a half since their appointment. La Trobe's cynicism about Robinson had not altered when La Trobe reported to Gipps in January 1840:

That some progress should have been made by the Chief Protector & his Assistants in acquiring a knowledge of the habits, character & language of the several tribes; that these officers would have attained a certain degree of influence amongst the Natives with whom they have been in frequent contact, & some slight power of controul [*sic*] over their movements; & lastly, that they should have established such a character in the District, as might to a certain extent awe & restrain the lawless; while it secured to them the respect, at least, of the better class of this scattered community. – It is to be regretted that I am unable to shew as yet that reasonable or decided progress has been made in the attainment of any of these points.⁵⁰

La Trobe also harboured reservations about the suitability of some of the men employed to be Assistant Protectors, although he may not have been aware of the slant that Arthur had put on their role when he spoke to them in London. La Trobe criticised the Protectors for their inactivity, but he was willing to acknowledge that it was the lack of understanding about Aboriginal people that also hampered attempts to improve their situation. The idea of the Protectorate as conceived by the British Parliament and the Colonial Office was naive and based on the barest understanding of Aboriginal culture. La Trobe argued that the 'inapplicability of the details, by which it was proposed to pursue it, to the real circumstances of the Aboriginal Natives of the Colony' made the protection of Aboriginal people nearly impossible.⁵¹ The inability of the employees of the Chief Protector's Department to undertake their duties in a professional and

organised manner, not just because of the their unsuitability and unpreparedness but also because of the absence of unequivocal direction and management, led La Trobe to abandon his support for continuing the Protectorate experiment.

THE REAL CIRCUMSTANCES EXPOSED

By March 1842 La Trobe had decided that the Protectorate experiment of three years had so many ‘inherent difficulties’ that he questioned the viability of pursuing the system in its present form. He believed a simpler approach would produce results of equal benefit to Aboriginal people. La Trobe outlined in detail his reasons for this conclusion to Governor Gipps. He cited the lack of harmony in the Chief Protector’s Department, the absence of system and the endemic spirit of ‘distrust and dissatisfaction’.¹ At the same time La Trobe drew attention to the irregularity of the duties undertaken by the Protectors. Only a few years later he was to declare the whole Protectorate system a failure.² The British Government had pressured Gipps, and through him La Trobe, to adopt a plan for the protection and civilisation of Aboriginal people devised in London by people who had almost no cultural or social understanding of Aboriginal life. The daily management of the Chief Protector’s Department exposed the limitations of the Select Committee’s approach that was the foundation of the experimental Protectorate system.

Problems with the Colonial Office’s policy were evident from the outset. The Colonial Office expected Gipps to provide the financial support necessary for the protection of Aboriginal people but his economic restraint made the working of the Chief Protector’s Department slow and inadequately resourced. The Assistant Protectors took a long time to go out to their districts because of the difficulty of finding supplies and resolving the issue of securing government rations for their families. They could not ‘itinerate’ with Aboriginal people as expected and the setting up of reserved stations was more

complicated than the Colonial Government anticipated. The Assistant Protectors had difficulty learning the numerous Aboriginal languages spoken in their districts and could not undertake religious instruction to the degree that they had hoped. Many Aboriginal people did not attend the reserved station sites because of restrictions put on them by the complexity of inter-clan relationships and because of the spread of disease. As the Protectorate years progressed, it was clear to La Trobe that the British Government's ignorance of Aboriginal cultural practices and life circumstances completely hindered the implementation of protection policy. While La Trobe believed in the Colonial Office's general promotion of the civilisation of Aboriginal people through Christianity and the practical benefits of concentrating Aboriginal people on reserves away from townships, he soon realised that achieving these aims was far more challenging than anyone had anticipated.

The Protectorate Districts

The Colonial Office's decision to appoint only four Assistant Protectors and ignore Arthur's argument for more had profound implications for the success of the Protectorate system.³ The Colonial Office put Robinson in the position of having to allocate huge districts for each of his assistants to work in. In March 1839 Robinson directed Sievwright to the Geelong or Western District, Parker to the Mt Macedon or North-West District, Dredge to the Goulburn District and Thomas to the Westernport or Melbourne District.⁴ Robinson effectively divided the whole of Port Phillip into quarters. At first Assistant Protector Thomas stayed in Melbourne to work with the Aboriginal people who frequented the township and to assist Robinson. The other Assistant Protectors were to

travel to their districts as soon as possible but by the early part of 1839 they had yet to leave Melbourne.⁵ Each district covered hundreds of miles making it difficult for the Assistant Protectors to familiarise themselves with the entire area of their responsibility and make contact with all the Aboriginal people who lived there. The Assistant Protectors were inadequately equipped for such extensive travel and took a long time to go out to their districts because of their need to secure provisions for their families and acquire the necessary equipment for the journey.

Robinson grumbled that the Assistant Protectors ‘have a good deal of shuffling about them, are not the men for the work, always talking of wives and families and of rations’.⁶ Gipps did not clarify the issue of rations and allowances for the Assistant Protectors’ families until mid-April when he determined their exact entitlement amounting to an extra 10s 6d a day in addition to their salary of £250 per annum.⁷ When Dredge complained about the expectation that the Assistant Protectors were to pay for all their expenses from their annual salary, the Colonial Secretary retorted that this extra allowance raised their salary to around £440 a year, nearly equal to that of the Commissioners of Crown Land.⁸ There was to be no other claims for allowances. The Assistant Protectors’ expenses, however, were high, especially given that they also needed to provide for their families. The Colonial administration gave them little assistance to prepare for their journey into the bush and they had to share bullocks and other equipment so they could travel.⁹ The lack of supplies frustrated the Assistant Protectors who thought they had accepted a position of ‘respectability’ and status in the Colony; instead Gipps forced them to lobby for even the most basic necessities. The

Assistant Protectors' disappointment was understandable given the circumstances of their appointment, which they explained to the Colonial Secretary at the end of 1838:

we were informed that everything essential to the support of the efficiency and respectability of the appointment would be supplied in addition to the proposed salaries; such as tents for temporary residences; means of conveyance for ourselves and families, if it should be necessary to itinerate among or with the natives; the materials and labour necessary to construct a permanent residence as soon as a fixed establishment should be found; rations for ourselves and families and every requisite supply for the civilization and moral improvement of the natives. These arrangements, we were told, would be made as a matter of course, by the local colonial government when we arrived in the colony.¹⁰

Robinson ordered the Assistant Protectors to travel to their districts at the beginning of April 1839 but it was almost another two months before any of them left. Robinson was indignant about criticism in the local press accusing him of neglecting his instructions and leaving the Assistant Protectors 'dawdiling about'.¹¹ Dredge was the first to leave for his district on 22 May.¹² Sievwright left Melbourne on 31 May and Parker ventured out on 5 August, returning soon after because his cart got stuck. Parker did not successfully leave Melbourne with his family until 12 August, although he had already been on short trips to his district to investigate various reports of conflict between settlers and Aboriginal people in the area.¹³

Itinerating

When Lord Glenelg sent his list of ‘principal points’ comprising the Assistant Protector’s duties from the Colonial Office in London to Gipps, he started with the idea that the Assistant Protectors should roam the countryside with Aboriginal groups. The purpose of this, he explained, was to convince Aboriginal people that the Assistant Protectors were friendly. Glenelg believed that with the respect and confidence of Aboriginal people, the Assistant Protectors could ‘induce’ them to stop wandering and settle in one place.¹⁴ Glenelg’s point was a departure from the ideas put forward in the report of the parliamentary Select Committee on Aborigines. The Committee merely stated that the Assistant Protectors should first cultivate a ‘personal knowledge of the natives, and a personal intercourse with them’.¹⁵ There was no suggestion from the Committee about how the Assistant Protectors should or could undertake this task. Indeed there was no reference to Assistant Protectors itinerating or of the establishment of places designed to congregate Aboriginal people and stop them from moving about. Rather the Select Committee observed that the government should provide land as hunting grounds for their ‘maintenance’: ‘So long as agriculture shall be distasteful to them, they should be provided with the means of pursuing the chase without molestation’.¹⁶ Arthur seemed to be the source of the notion of Assistant Protectors more or less living with the Aboriginal people of their district. In his directions to the Assistant Protectors he stated that ‘each individual should attach himself as closely and constantly as possible to the aboriginal tribes . . . attending to them in their movements from one place to another, until they can be induced to assume more settled habits of life’.¹⁷ In reality this was difficult for the Assistant Protectors to achieve and gradually Gipps came around to the idea that he should approve the allocation of land for Aboriginal reserves.

Reserves

While it seems logical to assume that the Colonial Government may have thought they could control Aboriginal people more easily if they gave them a permanent location on which to settle, the ability of the Assistant Protectors to achieve this aim was uncertain. Glenelg's instructions did not outline a system of reserved Aboriginal stations but instead indicated that 'if' the Assistant Protectors could convince Aboriginal people to 'locate themselves in a particular place' then they should be encouraged to pursue agricultural activities and build housing. The details regarding the allocation of land for this purpose were left to the discretion of Gipps who, initially at least, did not think reserves would be needed. Responding to the Assistant Protectors' request for more information about their work in October 1838, Gipps reiterated the need for the Assistant Protectors to move about with Aboriginal people and minuted: 'I am not at present aware whether any fixed station will be required'.¹⁸

Using Glenelg's instructions as their guide, the Chief Protector and La Trobe were sceptical about the extent to which the Assistant Protectors were 'itinerating' with Aboriginal people in their districts. A month after his arrival in Port Phillip, La Trobe felt it was expedient to remind Robinson that his assistants were 'supposed to be always more or less in motion and attendant upon the movements of the Tribes'.¹⁹ The Colonial Government decided to ensure that the Assistant Protectors stayed in their districts as much as possible by halting their allowances when they came to Melbourne or within twenty miles of the township. La Trobe informed Robinson: 'I am requested that I will

cause this order to be strictly enforced in all cases, where they may not have my express permission to be there'.²⁰ This particular measure outraged Dredge who stated to Robinson that it reduced him to 'a surveillance little more respectable than that of a prisoner'.²¹

Arthur chose only married men as Assistant Protectors but Gipps thought, accurately, that this was a hindrance to them 'itinerating'. He complained that they were 'inactive' and 'encumbered' by their large families.²² Parker did not travel much in the early years of his appointment, preferring to stay at his wattle and daub hut at Yerrip Hills on the Salt Water Creek, just north of George Evan's Emu Bottom Run near Sunbury.²³ When Parker visited Melbourne in July 1840 he admitted to Robinson that he had not been away from home for three months because he 'had no means'.²⁴ Robinson derided Parker in his journal calling him 'a wretched trifler' and noted: 'He avails himself of any excuse to come to town on his own business'.²⁵ Later Parker revealed his concern for the safety of his young family if he left them and his reluctance to leave his pregnant wife.²⁶ Yerrip Hills was probably the closest location to Melbourne that Parker could have chosen while technically still being in his district. Understandably he wanted to be nearer to medical assistance in Melbourne if his wife needed it but Robinson accused him of not attending to his work soon enough. He also rebuked Parker for his choice of station describing it as 'the worst that could have been selected being quite out of the way of communication with the Chief Tribes of his District and is more over thickly surrounded by settlers, of whom several are in the immediate neighbourhood'.²⁷ Despite Robinson's criticisms, it was Parker who prompted a change to the British and Colonial Governments' directive

that the Assistant Protectors ‘itinerate’, which led to a greater emphasis on setting up central Protectorate ‘stations’.

Reserves Allocated

In one of his earliest reports Parker explained some of the difficulties he was experiencing in his job as an Assistant Protector that made it impractical for him to travel widely with Aboriginal people around his district:

It is my duty also to advert to the fact that I find it impossible to attach myself to entire tribes from the circumstance that the tribes are most usually broken up into small parties often ranging widely from each other in search of food. The only occasions when they assemble in any considerable numbers are when they resort to particular spots where some kinds of food may be abundant for a season; . . . As these occasions are not of frequent recurrence it is becoming daily more necessary that the Protectors should possess some point of concentration - some fixed station, to which he may invite and bring Aborigines.²⁸

Despite Gipps’ reluctance, the need for dedicated reserves was becoming increasingly obvious and it was clear that the Assistant Protectors thought the Colonial Government would provide land for them to establish a homestead and undertake their duties. In June 1840 Dredge responded to Gipps’ insistence that the Assistant Protectors roam with Aboriginal people by declaring: ‘can his Excellency seriously imagine, that the Secretary of State conferred such an appointment on an individual with a family, with a view to reducing them to the vagrant habits of the wandering aborigines?’²⁹

Gipps slowly came around to the idea of fixed stations after reading the Chief Protector's reports, which included letters from Parker and Dredge, and approved the allocation of reserves for Aboriginal people a little over a month before Dredge resigned his position as Assistant Protector.³⁰ On 28 April 1840 the New South Wales Colonial Secretary, Deas Thomson, wrote to La Trobe informing him of the Governor's decision that one square mile of land would be reserved for each Assistant Protector as a homestead and for cultivation, surrounded by a further reserve of five square miles (or a circle of ten square miles in diameter) as hunting grounds.³¹ The 'inner' square mile of reserve would be permanent but, as Deas Thomson stressed, the 'outer' reserve would be temporary and only necessary until Aboriginal people had learnt to undertake sufficient agricultural pursuits to support themselves.³² The allocation of reserves probably wouldn't have changed Dredge's mind about his resignation but he was pleased with Gipps' decision nevertheless. For Dredge the situation in Port Phillip was so drastically different to what he had expected and the post of Assistant Protector did not allow him to undertake the missionary activities that he thought Aboriginal people so desperately needed. Robinson recorded that a 'Mr Makinnon' at Parramatta offered Dredge a more suitable position as an assistant missionary, although there is no evidence that he accepted.³³

Dredge claimed to have journeyed nearly two thousand miles around his district in the short period he was an Assistant Protector but the other assistants were not so diligent.³⁴ All of them found it necessary to spend time in Melbourne and Robinson often directed them to inquire into specific cases of violence reported in their district. Once Gipps approved reserves, the Assistant Protectors worked on finding suitable locations for them

and securing building materials, equipment and supplies for their homesteads. The appointment of agricultural overseers to manage the stations while the Assistant Protectors were away made it easier for them to travel.³⁵ Most of the extra time this gave the Assistant Protectors, however, was taken up with their magisterial duties. The Assistant Protectors had little time to roam the countryside attached to Aboriginal tribal groups, living with them and learning about their culture, as was perhaps envisioned by Arthur and Glenelg back in London. Instead they gradually accumulated knowledge about the people who lived in their district through occasional travels and the attendance of Aboriginal people at Protectorate stations. The monthly returns submitted by the Assistant Protectors, including population estimates, revealed that their knowledge of Aboriginal people was largely limited to the individuals who visited the stations. Robinson travelled extensively but even he spent a lot of his time visiting squatters and staying in the various station huts and homesteads scattered throughout the Port Phillip District. The Chief Protector made contact with Aboriginal people when he could but did not 'itinerate' with any particular group.

The Assistant Protectors were aware that not all Aboriginal people visited the Protectorate stations and that some found work on squatting runs and in the towns. Over time, however, they lost track of many of these people and knew nothing of their fate. A Select Committee established by the New South Wales Legislative Council in 1845 to investigate the 'condition of the Aborigines' revealed that of Robinson's estimated five thousand Aboriginal people living in Port Phillip at this time, only somewhere between one and two thousands of these actually attended a Protectorate station.³⁶ The Assistant Protectorate districts were so large that even caring for the Aboriginal people they were

in regular contact with was difficult. In 1842 Robinson went so far as to recommend the appointment of another Assistant Protector for the rapidly developing Murray region.³⁷

La Trobe eventually realised that the idea of the Assistant Protectors itinerating with tribal groups was impractical. The Assistant Protectors' family obligations, the size of their districts and financial constraints in terms of the supply of rations and equipment hampered their ability to travel. Their work as magistrates took up a considerable amount of the Assistant Protectors' time and the needs of Aboriginal people themselves meant they needed to be available in a specific location. As Parker pointed out, without a fixed station the Assistant Protectors could not provide medical assistance to the sick or rations to those who needed it. All these issues impacted on the ability of the Assistant Protectors to gather accurate census information as required by the Colonial Office. Under these circumstances and after lobbying by the Assistant Protectors, Gipps acquiesced to the nomination of Aboriginal reserve stations. While it made sense at the time to move away from the notion of the Assistant Protectors 'itinerating', the advent of stations limited the opportunity for the Assistant Protectors to learn as much about Aboriginal people and culture. The Protectorate stations curtailed the number of Aboriginal people the Assistant Protectors had contact with and did not allow them to experience first-hand what life was like for people beyond the imposed environment of the government reserve.

Lessons from the Government Mission

Encouraging Aboriginal people to inhabit the Protectorate stations brought its own challenges and the choice of location was a major determinant of attendance. The issue of

finding an appropriate place for an Aboriginal reserve was tricky in 1840 because the Assistant Protectors knew so little about the people of their districts; after all, Port Phillip had only been the site of permanent European settlement for five years.³⁸ In particular the Assistant Protectors did not have an adequate understanding of tribal relationships and habits. The only person La Trobe and the Assistant Protectors could consult about the Aboriginal people of Port Phillip was the missionary George Langhorne. Before Gipps' arrival, his predecessor Sir Richard Bourke had attempted to protect Aboriginal people around Melbourne by sponsoring a 'native village' as a Government mission. He encouraged Langhorne, an Anglican missionary who was working with Aboriginal people at Goat Island near Sydney, to establish a mission on the south bank of the Yarra in 1837.³⁹ Bourke dedicated eight hundred and ninety five acres for the purpose, land that later became part of the Melbourne Botanical Gardens.⁴⁰ From the outset Langhorne expressed his doubts about trying to bring large groups of Aboriginal people to one location. He wrote to Bourke in November 1836 referring, in particular, to the failure of a similar attempt near Sydney where 'rather inconsiderate efforts' were made 'to force the natives all at once into an artificial mode of living with which they were unacquainted, and which was diametrically opposed to their own natural habits'.⁴¹ In Melbourne Langhorne hoped he could 'wean' Aboriginal people off the habit of wandering by demonstrating to them what he believed were the superior advantages of 'civilised' life.

Initially Langhorne wanted to spend his time 'itinerating' with Aboriginal people but Bourke thought this ill advised. The length of time Langhorne would be away from the mission would, in Bourke's opinion, mean that the activity 'holds out advantages so very remote and problematical as by no means to compensate for the absence'.⁴² Instead

Langhorne concentrated his efforts on bringing people onto the mission to be converted. He also attempted to persuade parents to let their children receive a European education. Bourke hoped that Langhorne would encourage intermarriage between Aboriginal men and white women from the labouring classes of European society settling in Melbourne. Langhorne probably based his missionary work on other missionary endeavours undertaken by the Anglican Church rather than any understanding of the people of Port Phillip. As the New South Wales Colonial Secretary, Alexander Macleay, admitted, the whole concept of the ‘native village’ was new in an Australian context. Bourke devised Langhorne’s instructions with ‘but little knowledge of the precise circumstances he will have to encounter in his intercourse with the blacks at Port Phillip’.⁴³ Consequently the mission was not a success and by 1839 few Aboriginal people were visiting Langhorne’s ‘village’. Gipps sent Robinson to inspect the site and report on the mission in March and only a few weeks later ordered that the establishment be ‘broken up’.⁴⁴

Emboldened by his experience, Langhorne wrote an extensive letter to La Trobe just after the Superintendent’s arrival in October 1839 putting forward his views about Aboriginal protection and the results of his ‘experiment’ on the banks of the Yarra River. Langhorne argued that fixed reserves for Aboriginal people were a mistake unless they were numerous. Establishments such as the one he had been responsible for ‘cannot possibly, humanly speaking, meet with success’.⁴⁵ The wandering lifestyle of Aboriginal people was nearly impossible to change, he declared, and trying to bring people from different groups together peacefully was a difficult proposition given the social and political complexity of clan relationships. Langhorne described Bourke’s plan for intermarriages as ‘utopian’ and he felt daily confronted by Aboriginal people coming and

going from the mission as they pleased. The location of the mission, which was close to the growing township of Melbourne, meant that Aboriginal people were continually tempted away from Langhorne's influence by higher wages for their labour. As to Christian conversion, Langhorne argued he did not have enough time to effect any lasting change.⁴⁶

La Trobe heeded some of Langhorne's views about the establishment of reserve stations. He certainly agreed with Langhorne about the detrimental consequences for Aboriginal people of a mission located so close to town and, at first, fully supported the Colonial Office and Langhorne's push for the Assistant Protectors to roam with the people of their districts. La Trobe also learnt from Langhorne's experience that the views of Aboriginal people needed to be included in any decision about the location of appropriate reserve sites. La Trobe wanted to establish the Protectorate stations in places that best suited the people who were to frequent them:

greater difficulty exists in making a proper selection of these reserves than might be imagined as it is particularly desirable that the prejudices and preference of the Natives should be fully consulted in the choice of localities and that if practicable such reserves should be placed where they might be accessible to and suit more than one of the numerous petty tribes into which the Aborigines of those countries are divided, no inconsiderable knowledge of the character of the people is requisite.⁴⁷

La Trobe was sympathetic towards Langhorne and allowed him plenty of time to sort out his affairs before being required to leave his government cottage on the Yarra.⁴⁸

Unfortunately, Langhorne's expertise was lost to the Chief Protector's Department when

he refused an ongoing position as a government missionary and Gipps rejected his application to become another Assistant Protector.⁴⁹

Central Stations

In the period before the Assistant Protectors set up their main reserve stations they often had several, smaller, officially unreserved station sites, like that of Parker's station at Yerrip Hills. The Assistant Protectors used these sites as meeting places, where they were able to make contact with specific Aboriginal groups, and temporary homesteads. On Robinson's tour of Thomas' district that they undertook together in July 1840, Robinson recorded that Thomas had two stations. Thomas' called his first or 'old' station 'Tub.ber.rub.ber.bil' and built a wattle and daub hut on the site.⁵⁰ Thomas' called his second station 'Gan.jer.rong'. Both stations were near Arthur's Seat.⁵¹ Given the size of the Protectorate districts and the diversity of groups that inhabited these areas, the existence of more than one station site indicated that a multitude of reserves would have suited both the Assistant Protectors and Aboriginal people. The Colonial Government, however, only sanctioned the formation of a single funded homestead and farm for each district. By 1840 each of the four Protectorate districts had what Robinson described as a 'central station' where the Assistant Protectors located their homesteads and cultivated reserved land for the benefit of the Aboriginal people who visited there. The Assistant Protectors may have used and maintained other sites of officially or unofficially reserved land as well.⁵² In September Parker set up the first central station in the Mt Macedon district, although the unsuitability of the site soon forced him to move. In 1841 Parker found a permanent site for his homestead at Larnebarramul near Mt Franklin.⁵³ In

November 1840 Assistant Protector Le Souef, who La Trobe appointed after Gipps accepted Dredge's resignation in June, occupied his central station on the Goulburn. The other two Assistant Protectors, Thomas and Sievwright, had yet to inhabit their proposed homesteads at Narre Warren and Mount Rouse near Geelong.⁵⁴

Robinson argued that the setting up of central stations would allow his assistants to work more efficiently but would not replace their 'itinerating duties'.⁵⁵ He continued to insist in official reports that the Assistant Protectors would 'travel among and sojourn' with Aboriginal people even though he knew this wasn't happening, except perhaps in the case of William Thomas who found it difficult to encourage the Melbourne groups to settle at Narre Warren. The stations were for the exclusive use of Aboriginal people, to encourage them to cultivate the land and give them access to European education and religion, and to receive rations. The Assistant Protectors managed the stations that served as the 'centre of operations for their districts'. Robinson described the reserve stations as 'an asylum for such aboriginal natives as are disposed to settle'.⁵⁶ Gipps' financial restraint was probably behind his reluctance to fund more than one station each for the Assistant Protectors but this clearly wasn't enough. The Protectorate had to function with only four main stations for the whole of the Port Phillip District. This was an impossible task and the Assistant Protectors were unable to accommodate the numerous tribal and clan groups of the District.

Clan Relationships

The location of the Protectorate stations was crucial because Aboriginal social and political alliances determined the right to traverse land. The location of a station often precluded particular groups who did not have permission to access the station site or who were in conflict with the people of that area. While the Assistant Protectors and missionaries who worked with Aboriginal people had some understanding of these issues at a tribal level, they had no grasp of the intricacy of relationships among smaller clan groups. In July 1840 Dredge reported to Jabez Bunting that disagreements among the Aboriginal population in the Goulburn district were common. He asserted that these disputes demonstrated the inappropriateness of trying to bring all the Aboriginal people of a Protectorate district together on one station. Dredge explained that ‘The experience I have gained leads me to conclude that the jealousies, and continued fights consequently resulting therefrom between the different Tribes will oppose an insurmountable obstacle to such centralization’.⁵⁷ Dredge claimed to have made contact with six tribal groups in his district most of whom were not on friendly terms ‘and some of them, especially near the sites about to be occupied by the Assistant Protector for that District, were under the influence of the most deadly hostility to each other’.⁵⁸

The missionaries working at Buntingdale on the Barwon River near Geelong expressed a similar view. In October 1842 the missionary Benjamin Hurst wrote to La Trobe about some of the problems he was having while working to convert Aboriginal people on the Wesleyan Mission. Hurst recorded his disappointment with the location of the mission and the reaction of Aboriginal people to it:

The ground we at present occupy, although within the boundary of a small tribe, was chosen because of its central situation, under the mistaken idea, that several tribes

could be brought to locate upon the same reserve; but very soon after the commencement of our labours, we found there were almost insuperable obstacles to be overcome . . . so inveterate are the prejudices of one tribe towards another, so constant their jealousies, so powerful their superstitions, and in consequence, so frequent their quarrels, that until the gospel shall have been brought to bear upon their hearts, there can be but little hope that any attempt to induce them peaceably to associate for any very great length of time, will be successful.⁵⁹

Hurst's criticism of Aboriginal people revealed that he knew nothing about the reasons for these conflicts, often caused by the encroachment on Aboriginal land by settlers. The expansion of European settlement sometimes forced Aboriginal people together onto reserved sites as a necessity of survival. This type of enforced confinement could easily upset the delicate balance of clan relationships. Hurst reported that many conflicts occurred when the missionaries attempted to congregate Aboriginal people from different groups at a single location. For the same reason, Parker noted the absence of certain groups from his station near Mr Franklin.⁶⁰

The shifting location of Parker's station had fundamental implications for the Aboriginal people of his district for whom cultural groupings determined access to land. Parker initially settled south of Mt Macedon at Yerrip Hills while his family was still growing. At Robinson's urging Parker then explored the country to the north on the other side of Mt Macedon choosing a site near present day Maldon at Tarrengower. Finally, he moved to settle permanently further down the Loddon River at Larnebarramul, often now referred to as Franklinford. The Gunung-willam-balug clan that Parker met in the area

around Mt Macedon were friendly with the Lear-ker-er balug clan of Tarrangower. When Parker shifted to Larnebarramul, the Gunagara-balug people of this area were not on similarly friendly terms with the Gunung-willam-balug and so the Mt Macedon groups would not go there.⁶¹ Parker was aware that inter-tribal relationships were important if he was to attract the largest number of Aboriginal people to his station. Writing to Robinson about the proposed site near Mt Franklin, Parker described one of its advantages as its suitability for the convergence of the Mt Macedon (Woi wurrung) and Loddon Aboriginal peoples (Dja dja wurrung).⁶² In his report of January 1843, however, Parker observed that the Marpeanbulluk, the Marinbulluk and the Konong-william groups never visited his station at Larnebarramul even though they had sometimes visited at Tarrengower.⁶³ Clearly Parker did not yet have a grasp of the workings of clan relationships within larger tribal groups. As a result of this move, Parker lost touch with the Mt Macedon clans people and the fate of this group remains ‘largely unrecorded’.⁶⁴

Disease

The spread of disease also impacted on the number of Aboriginal visitors to the Protectorate stations. When they arrived in Melbourne, all the Assistant Protectors were equipped with only minimal medical supplies. At Sievwright’s request the Colonial Secretary agreed that the Assistant Protectors could have ‘as much common physic as they wish for’ but nothing dangerous. Sievwright thought the provision of such supplies would encourage Aboriginal people onto his station; ‘nothing would tend so much (in the first instance) to induce the natives to congregate and ultimately to abandon their erratic habits, as the relief they might obtain from the Protectors, were we furnished with the

means of supplying to them such simple medicines as we may be competent with safety to administer'.⁶⁵ The Assistant Protectors were unprepared for the reality that confronted them on their stations. The death rate from disease was high and there was not much the Assistant Protectors could do except call for medical assistance, which could take some time to arrive. Even when available, medical officers were often constrained by the scarcity of supplies and the lack of effective communication between carer and patient. In August 1839 the Aboriginal people of Thomas' district were suffering from some kind of contagious ulcers. Dr Patrick Cussen, Assistant Surgeon for the Port Phillip District, tried to help those who were inflicted with the disease but was unable to assist them 'until some person be found to represent them, to interpret and administer the medicine'.⁶⁶ Cussen could do little except suggest that those who had the ulcers be isolated and confined in a separate hut on the south bank of the Yarra.

In December 1840 Parker observed that some of the people visiting his station had syphilis and requested the attendance of a medical officer. He asked that the officer teach him and his overseer how to administer remedies for the disease.⁶⁷ He also reported that nearly everyone at the station had suffered from ophthalmia at one time or another, an inflammation of the eyes that was probably bacterial conjunctivitis. Nearly a year later the health of the people at Parker's station had deteriorated significantly. He was desperate for medical aid and reported a rapid spread of syphilis among Aboriginal women as a result of their interaction with the men who worked on nearly squatting runs. Of the one hundred and seventy Aboriginal people on his station, Parker thought more than half of the women were infected. Parker was doing his best but, he wrote, 'having only my personal experience as the head of a family and the information derived from a

few popular medical works to guide me, I do not feel myself adequate to the necessities of the case'.⁶⁸ The same month Gipps approved the appointment of a medical officer for the Loddon and Goulburn Protectorate stations. La Trobe had visited both sites and confirmed for Gipps that 'the appointment of such an officer is urgently required'.⁶⁹ Like Sievwright, he hoped that the presence of medical aid would assist in encouraging greater attendance at the stations.

The presence of disease and death on the Protectorate stations meant that healthy Aboriginal people often avoided them for a while, sometimes for several months.⁷⁰ Many people found work with settlers in the district. Towards the end of the Protectorate period Robinson visited the remaining Aboriginal stations of the Goulburn, Loddon and Mount Rouse districts. He reported an average daily attendance of twenty while he was at the Goulburn Station but believed up to two hundred people arrived after he had left. On the Loddon Station the daily attendance was thirty-six, but in the months preceding Robinson's visit there were no Aboriginal people at the reserve. At Mount Rouse Robinson saw anything from thirty-six to forty-four Aboriginal visitors to the station. In contrast to the number of people visiting the stations, Robinson repeatedly estimated the Aboriginal population of Port Phillip at around five thousand. According to the Chief Protector, the young and healthy easily found work on settlers' stations, the rest comprised the neglected, the aged, the sick, women and children. Robinson believed it was the latter that made up most of the visitors and inhabitants of the Protectorate stations.⁷¹ With most of the fit and able men working as labourers and shepherds in the towns and surrounding farms, it was a challenge for the Assistant Protectors to record accurate census information as required. The inability of the Assistant Protectors to speak

all of the numerous dialects spoken by the Aboriginal people in their district also impeded communication.

Robinson had informed each of his assistants in 1839 that they were to carry out ‘a complete census’ of the Aboriginal population that included the

age, name, and sex as also the tribe to which they belong; the principal persons of each tribe whether warrior, councillor, elder, or otherwise; also the boundaries and aboriginal names of districts occupied by each tribe; the aboriginal names of mountains, lakes, rivers and other localities; the difference of language, customs, and habits of each tribe; with their political relation, whether of amity or hostility; and any other information bearing upon the before mentioned subjects, it will be desirable to communicate.⁷²

La Trobe and Gipps summarised the information provided by the Assistant Protectors that they then forwarded to the Colonial Office. Robinson’s reporting produced what La Trobe described as an ‘exceedingly heavy’ amount of correspondence but he doubted the value of the information it contained. La Trobe was critical of Robinson’s census-taking methodology and thought there were important details missing, although he did not elaborate on what those omissions were. Of the overwhelming amount of material produced by the Chief Protector’s Department, La Trobe wrote ‘it is impossible, after the most careful sifting, to glean from it any quantity of really valuable and trustworthy information, capable of being employed in taking those important steps for the better government of the natives’.⁷³ Robinson’s reports concentrated on lengthy descriptions and factual information rather than the kind of analysis that La Trobe needed to make

decisions that would improve conditions for Aboriginal people in his District. When attendance numbers were low on the stations the Colonial Government questioned the viability of the whole Protectorate, but Robinson rarely explored or gave evidence about why attendance fluctuated.

Proximity to Settlers

The detrimental moral influence of settlers on Aboriginal people and the encroachment of leaseholders on land reserved for Aboriginal people constantly undermined the work of the Assistant Protectors. As early as 1842, La Trobe was reluctantly discussing the total isolation of Aboriginal people from European society as the only really effective method of protecting them. His correspondence at the time revealed his disappointment that he could not stop the aggressive behaviour of certain sections of the settler community towards Aboriginal people or the deadly spread of disease through other forms of contact between the two groups. The results of missionary activities, including the work of Langhorne in Melbourne and of the Wesleyan Missionary Society at Buntingdale, influenced La Trobe's view. Langhorne had already informed La Trobe of some of the problems that had occurred when he encouraged Aboriginal people onto sites close to settler townships but Hurst had more to say on the subject. In 1842 he wrote to La Trobe about the interaction of Aboriginal people with 'wicked men', who taught them 'to practise vices of which before they were ignorant'. Hurst found the situation of Aboriginal women particularly shocking. The women, he wrote, were 'prostituted' to 'such an awful extent . . . that procreation has almost entirely ceased, and disease, the result of illicit intercourse, has been introduced among them'.⁷⁴ Hurst further declared

that one half of the four groups that visited the mission station had already died and he predicted the ‘annihilation’ of the Aboriginal people of Port Phillip if the Government did not address the situation.⁷⁵ The contents of Hurst’s emotional report appalled La Trobe and he unwillingly concluded that only the adoption of extreme measures could stop the obliteration of the Aboriginal population.

The Assistant Protectors shared La Trobe’s concern about the proximity of Aboriginal people to settlers and the nature of their relationships. In his first report for the period September 1839 to February 1840, Parker observed the rapid taking up of Aboriginal hunting grounds by squatters and the ‘mutual regard’ of both as ‘intruders’. Parker believed the contact Aboriginal people had with Europeans was detrimental. Aboriginal people were

sinking to a lower degree of moral degradation by the pernicious intercourse (contact) which they have with the vitiated portion of the lower classes in the colony. I cannot draw the men away from the stations while they, by pandering to the lusts of those employed on the stations, can obtain more liberal supplies than I can furnish. The results of this vicious intercourse (contact), disease, jealousy, and brutal quarrels both with white and blacks, are rendering the condition of the Aborigines more deplorable, and the property of the colonists more insecure.⁷⁶

When Parker and the other Assistant Protectors requested the reservation of land for central stations, Gipps responded by directing the Assistant Protectors to select sites that were ‘as remote possible from the settled districts of the colony’.⁷⁷ Like La Trobe, Gipps used the experience of the missionaries to inform his decisions about the Protectorate.

Gipps allowed the Assistant Protectors one square mile of land for their homestead ‘on the same principle as the reserve for the Wesleyan missionaries in the county of Grant’.⁷⁸ No squatting runs were allowed within a five mile radius of the central station reserve. In emphasising the need to situate the Protectorate stations as far away from settled areas as possible, Gipps wanted to avoid the ‘difficulties’ that were occurring at the Wellington Valley mission in New South Wales in terms of European influence and suitability of the location for agriculture.⁷⁹

Squatting Licenses

Despite Gipps’ instructions, European settlers constantly encroached on Aboriginal reserves and argued with the Assistant Protectors over reserve boundaries. In 1836 the Colonial Government of New South Wales passed an Act that allowed individuals to claim land through a license system where the right to graze livestock over any amount of Crown Land could be bought for £10 per annum.⁸⁰ Administered by the Commissioners of Crown Land the grazing land was not actually ‘owned’ by the licensee because it had not been alienated from the Crown. Land under a grazing license was also unsurveyed and the boundaries of squatting runs were often imprecise. Similarly when the Assistant Protectors claimed a given area as an Aboriginal reserve, the boundaries of this land were a matter of contention. In 1845 Parker, who was by this stage in charge of both the Mt Macedon (Loddon) and Goulburn Protectorate districts, complained about the constant trespass on Aboriginal reserves by sheep from surrounding squatting runs. He requested that the reserves be ‘distinctly defined by the Commissioners of Crown Lands’.⁸¹ A few years later with arguments between settlers and the Assistant Protectors

over land increasing, Robinson suggested to La Trobe that he order a proper survey of reserved land.⁸² Unfortunately, the issue remained unresolved right to the end of the Protectorate period.

In 1849, the year the Colonial Government decided to close the Chief Protector's Department, Parker was still fighting with surrounding settlers in an effort to preserve the integrity of the Larnebarramul Aboriginal reserve.⁸³ La Trobe sent Crown Commissioner for the Western Port District, F.A. Powlett, to investigate Parker's claims that settlers John Hepburn (Smeaton Hill Run), John Egan (Corinella Run) and William Morrison Hunter (Tarrengower Run) were allowing their stock to graze within five miles of his station.⁸⁴ Powlett found in Parker's favour and suggested the more assertive action of the withdrawal of licenses until the Government published the boundaries.⁸⁵ Finally La Trobe directed Powlett to survey the land and define the boundaries of the reserve as he was keen to 'set the matter at rest'.⁸⁶ The Assistant Protectors fought to keep settlers away from the Aboriginal reserves but clearly some of the squatters thought they had a right to use the land regardless of its reserved status. Other squatters thought they could push Aboriginal people off land they had recently claimed as their own under a grazing license, even though, according to British law, it officially belonged to the Crown.

In 1837 the British Government clearly stated that Aboriginal people were British citizens and as such they had a natural right to traverse all Crown Land, including that licensed to squatters.⁸⁷ In practice settlers often ignored this right and drove off or worse, attacked Aboriginal people in an attempt to exclude them from land that the settlers believed to be their own. In Port Phillip La Trobe worried about the results of a recent

legal case that upheld the authority of a squatter to remove Aboriginal people from licensed land. In 1841 the case of the Queen vs S.G. Bolden was heard by Judge Willis who declared the ‘owner, Lessee or person paying for a run’ had the ‘right by all lawful means to turn off any person whether white or black who should trespass on his run’.⁸⁸ La Trobe strongly protested to Gipps about the effects of such a statement, which he believed would encourage settlers to continue to take violent action against Aboriginal people. As he explained to Gipps, it was ‘generally understood and most carefully inculcated by the Local Executive’ that Aboriginal people had a ‘natural right of occupation’ on Crown Land. This right was not altered, claimed La Trobe, by the existence of a squatting licence. If Judge Willis’ determination was upheld, La Trobe argued it would give legal sanction to the removal of Aboriginal people from areas they needed access to in order to find food and water, pushing them into further unnecessary hardship. He advised Gipps to take action before the annual renewal of squatting licenses by making a clear legal statement protecting Aboriginal people from ‘forcible expulsion’ while they were on reserved land.

Gipps supported La Trobe and continued to use the threat to cancel grazing licences in an attempt to keep the squatters’ behaviour toward Aboriginal people under control.⁸⁹ Later the British Government further upheld the right of Aboriginal people to traverse crown land. In 1848 Earl Grey wrote to the New South Wales Governor Fitzroy reiterating statements made in the *Australian Waste Land Act* passed by the British Parliament in 1846.⁹⁰ Grey observed the difficulty of land settlement in the Australian colonies where Aboriginal people and Europeans had to co-exist because of the amount of land required to graze livestock and because Aboriginal people needed to travel great distances to

source food supplies. Grey thought it would be difficult for the Colonial Government to separate Aboriginal people by allocating them extensive reserves as had been done in other countries, such as America. The logical conclusion was that the Colonial Government needed to prevent Aboriginal people from ‘being altogether excluded from the land under pastoral occupation’. In Grey’s words:

I think it essential that it should be generally understood that leases granted for this purpose give the grantees only an exclusive right of pasturage for their cattle, and of cultivating such Land as they may require within the large limits this assigned to them; but that these Leases are not intended to deprive the natives of their former right to hunt over these Districts, or to wander over them in search of subsistence, in the manner to which they have been heretofore accustomed, from the spontaneous produce of the soil, except over land actually cultivated or fenced in for that purpose.⁹¹

Later, when the Colonial Government took over responsibility for Aboriginal affairs after the Protectorate era, the local legislature eroded the British Government’s intention to maintain this right of trespass over land for Aboriginal people.⁹²

Religious Instruction

One of the main purposes of setting up the reserve stations in each of the Protectorate districts was to aid the Assistant Protectors in their responsibility to convert Aboriginal people to Christianity. This was also a misunderstood task and a lot to expect of the

Assistant Protectors given their other duties. While the Select Committee and Arthur had different views about the extent to which religious instruction was part of the Assistant Protectors' duty, Glenelg instructed that the Assistant Protectors prepare Aboriginal people for the acceptance of religious teachers. Dredge had taken up his position believing that he would be engaged in missionary-like activities but in reality this was impossible. The experienced missionary Lancelot Edward Threlkeld had said as much during the New South Wales inquiry into the 'Aborigines Question' undertaken in 1838. Threlkeld worked with Aboriginal people as a missionary for fourteen years at Lake Macquarie near Sydney. He believed that the Colonial Office expected too much from the Assistant Protectors and that the Government should split their duties. In reference to Glenelg's despatch containing instructions for the Assistant Protectors, Threlkeld responded: 'I consider a Protector as a legal advocate to watch over the rights and interests of the natives, and to protect them from aggression, as defined in No.2 of the despatch, which I think would be sufficient occupation for any individual'.⁹³ As far as Threlkeld was concerned, missionaries who were 'appointed specially' and for whom such work would 'fully occupy their time' were the only appropriate people to undertake the moral and religious instruction of Aboriginal people.⁹⁴ The Government Protectors could do little more than run church services for the central station on the Sabbath (Sunday).⁹⁵

Language

One of Glenelg's points of direction for the Assistant Protectors was that they should learn to speak with Aboriginal people in their own language. Arthur also emphasised this

point and saw it as crucial to the process of converting Aboriginal people to Christianity. The Colonial Office, however, had no idea that there were approximately thirty different language groups in the Port Phillip District some of which had up to five sub-dialects.⁹⁶ Threlkeld observed that ‘it would take a considerable time’ for the Assistant Protectors to be able to communicate effectively with the Aboriginal people of their Districts.⁹⁷ At Buntingdale, Hurst worried that ‘by the time we have so far acquired a knowledge of the language as to be in a position to render efficient service to the natives, they will all or nearly all, have disappeared’.⁹⁸ The Assistant Protectors were able to learn some Aboriginal languages and sometimes worked as interpreters. Given the number of different dialects, however, it was extremely difficult for them to communicate well with all the groups in their district. When Robinson asked Parker to act as an interpreter for an imprisoned Aboriginal man in 1845, for example, Parker had to explain that although the man frequented his station he did not know the language he spoke.⁹⁹ Parker suggested that Robinson ask the manager of McKinnon’s station to interpret instead. Informing a prisoner of his rights, however, was quite different to teaching Aboriginal people about the esoteric and philosophical aspects of religion.

Assistant Protectors and missionaries alike believed that a lack of mutual linguistic understanding hampered their ability to convert Aboriginal people. In his report of January 1845 Parker explained some of these issues as it related to his own experience. Parker, however, turned the problem back onto the Aboriginal people in his care. Rather than seeing his own inability to express himself in Aboriginal language as the problem, Parker expressed exasperation that Aboriginal culture seemed so limited:

What can be done with a people whose language knows no such terms as holiness, justice, righteousness, sin, guilt, repentance, redemption, pardon, peace, &c., and to whose minds the ideas conveyed by such words are utterly foreign and inexplicable? It can only be by long continued persevering labour, making the more intelligent acquainted with the meaning and force of our English phrases, and getting them by circumlocution, and figurative allusions, in which they frequently show much aptness, to explain the truths of revealed religion to their less favoured brethren, that those truths can be brought to bear with their full force upon their understandings and hearts.¹⁰⁰

Parker claimed to have learnt the language of the Dja dja wurrung people who most often came to his station. He was interested in linguistics and attempted to translate biblical passages from English into Dja dja wurrung words using philological texts as a guide.¹⁰¹ Parker had huge expectations of Aboriginal people. Not only did he think they should learn English for everyday speaking and communication but he also wanted them to develop their understanding to a point where they could grasp ideological concepts foreign to many people for whom English was their first and only language. He readily gave his opinion that ‘it is far more desirable to induce the natives to acquire English, than to depend upon the Aboriginal languages for conveying truth’, that is, religious truth.¹⁰² Regardless of whether they chose not to, or could not, understand the precepts of Christianity, many Aboriginal people spoke English very well.

La Trobe believed passionately in the ‘civilisation’ of Aboriginal people through their conversion to Christianity, but the experience of the missionaries at Melbourne and

Buntingdale was that Aboriginal people continually refused to accept the existence of a European God. The Government did not resource the Protectorate well enough to provide the level of religious teaching that La Trobe thought necessary and the language barrier thwarted the Assistant Protectors' attempts at instruction. The locations of the Protectorate reserve stations were problematical and there were not enough of them to accommodate peacefully all the different Aboriginal clan groups of a district. Ultimately, La Trobe concluded that it was the unsavoury influence of sections of the settler community that irrevocably undermined all other attempts to guide Aboriginal people toward what he believed was a proper moral life.

Glenelg's instructions for the Assistant Protectors did not allow La Trobe to address these issues effectively. The Colonial Office's close monitoring of its experimental system of Aboriginal protection in Port Phillip meant that for the first few years at least, La Trobe was unable to influence the direction of British policy. The Colonial Office was unwilling to make any significant changes to the Protectorate plan, despite the early warning signs of the resignation of one assistant and the dismissal of two others, until sufficient time had passed that would reveal its success or failure. Gipps and La Trobe were reluctant to confront the Colonial Office with their concerns; they had no wish to appear to be going against the British Government's humanitarian policy. In time the Colonial Office sought out La Trobe's view and listened to his concern that the Assistant Protectors could not achieve any of their duties to Christianise, 'civilise' or save the Aboriginal people in his District. By then it was too late; hundreds of people had already died, and with no viable alternative plan to offer, La Trobe was not able to improve life for the Aboriginal people of Port Phillip who remained.

ENFORCING MISGUIDED PHILANTHROPY

La Trobe's humanitarian beliefs and sympathy for the British Government's Aboriginal protection policy made him a suitable candidate for the position of superintendent in Port Phillip. He agreed with all of the loftier humanitarian, liberal and Christian sentiments the Government expressed in terms of the need to acknowledge the previous right of Aboriginal people to the land and to improve their lives through 'civilisation' and religious conversion. By 1842, however, La Trobe seriously questioned the viability of the Protectorate and knew that it was not going to work. Within only a few years La Trobe had realised that British Aboriginal policy was fraught with difficulties. There were too many unanticipated issues for the British approach to be successful. Yet La Trobe was unable to alter the course of Aboriginal protection.

The Role of Superintendent

La Trobe's position as superintendent was one of restricted authority. He reported directly and regularly to the Governor of New South Wales who was in command of all La Trobe's undertakings in the Port Phillip District. La Trobe's officials 'were to look to the Superintendent for orders' but 'he could do little without the Governor's authority'.¹ Initially, La Trobe was answerable to Sir George Gipps and then from 1846, Sir Charles FitzRoy. Throughout his management of the Protectorate, La Trobe forwarded all relevant documents for action to the Governor's Colonial Secretary, Edward Deas Thomson, and did very little on his own initiative. La Trobe provided valuable feedback

to the Governor but had no authority to approve expenditure outside the colonial budget or to appoint any individual whose salary exceeded £100 per annum.² At all times the Governor's orders superseded his own. Many of the officers employed in La Trobe's district reported directly to superiors located in Sydney, like the Surveyor-General or the commander of military forces, circumventing La Trobe's direct command.³ The local papers described him as the '£20 Governor' in reference to his inability to make any major decisions without approval from the Governor of New South Wales.⁴

Despite the restrictions of his office, La Trobe was able to influence and direct policy where there was none and achieved a great deal in the emerging settlement. The Colonial Government allowed La Trobe 'a certain scope, in reality freedom to formulate recommendations which would become the basis for the colony's directions'.⁵ In the area of Aboriginal affairs, however, the British Colonial Office had already laid down a specific policy and carefully scrutinised the operation of its Protectorate experiment discouraging other initiatives. For the Evangelicals and reformists in the Colonial Office, like Secretaries of State for War and the Colonies Lord Glenelg, Lord Russell, Lord Stanley and Earl Grey, Parliamentary Under-Secretary Sir George Grey and Permanent Under-Secretary James Stephen, their experiment in Aboriginal protection was of the highest importance. Gipps characterised the mood of the Colonial Office towards Aboriginal people in the Australian colonies when he declared in a proclamation of 21 May 1839:

His Excellency thinks it right, further to inform the public, that each succeeding despatch from the Secretary of State, marks in an increasing degree the importance which Her Majesty's Government, and no less the Parliament and the people of Great

Britain, attach to the just and humane treatment of the aborigines of this country; and to declare most earnestly, and solemnly, his deep conviction that there is no subject or matter whatsoever in which the interest as well as the honour of the colonists are more essentially concerned.⁶

The Colonial Office was anxious to hear about the success of its Protectorate system. Although Glenelg initially encouraged Gipps to make changes, over the main Protectorate period the Colonial Office could not resist the temptation to meddle in the management of the system and keep tight control of all its undertakings. In reality La Trobe and Gipps had few opportunities to adapt the Protectorate system as necessary.

The Need for Control

From the outset the Colonial Office had a clear objective to maintain control of Aboriginal affairs in Port Phillip. Glenelg's decision to handle the appointment of the Assistant Protectors in Britain, instead of allowing the Colonial Government in New South Wales to find local candidates, was part of a deliberate strategy to direct the workings of the Protectorate.⁷ Glenelg may even have believed that British Protectors were less likely to have a vested interest in the economic benefits of settlement and were more able to resist the anti-Aboriginal sentiments of popular opinion. The main drawbacks of this decision were that the Assistant Protectors had no local knowledge and the Colonial Office had to pay an allowance for them to travel to New South Wales. Glenelg's approach was in keeping with the suggestions made by the Select Committee on Aborigines, in particular, the Committee's assertion that the 'protection of the

Aborigines should be considered as a duty peculiarly belonging and appropriate to the Executive Government, as administered either in this country or by the Governors of the respective Colonies. This is not a trust which could conveniently be confided to the local Legislatures.’⁸

The British Government, declared the Select Committee report, had a responsibility to watch over and provide for Aboriginal people in the countries that it colonised. The Committee further argued that this was not a responsibility the British public should take lightly as God would judge them by their benevolence towards Aboriginal peoples. For the British parliamentarians who made up the Select Committee, the protection of Aboriginal peoples was a ‘higher purpose than commercial prosperity and military renown’:

He who has made Great Britain what she is, will inquire at our hands how we have employed the influence. He has lent to us in our dealings with the untutored and defenceless savage; whether it has been engaged in seizing their lands, warring upon their people, and transplanting unknown disease, and deeper degradation, through the remote regions of the earth; or whether we have, as far as we have been able, informed of their ignorance, and invited and afforded them the opportunity of becoming partakers of that civilization, that innocent commerce, that knowledge and that faith which it has pleased a gracious Providence to bless our own country.⁹

Glenelg was reluctant to delegate such an important task entirely to colonial authorities.

Keeping Track

The Colonial Office attempted to keep up to date with events in Port Phillip through a regular system of reporting. Gipps ordered La Trobe to collect information periodically from the Protectors about what they were doing. The Assistant Protectors sometimes submitted weekly or monthly returns but more often quarterly and half-yearly.¹⁰ La Trobe also asked Robinson to send in a return on the last day of every month giving details of the Assistant Protectors' movements and the number of days they were in Melbourne or within twenty miles on the township.¹¹ The Chief Protector submitted annual and occasional reports of his journeys around the District.

La Trobe collated these reports and sent them to the Colonial Secretary in Sydney, who passed them on to the Governor of New South Wales who adjusted them once again before forwarding them to the Colonial Office in London. Dredge complained about the amount of alteration to original reports this process entailed but editing was essential given the sheer quantity of correspondence produced by the Chief Protector's Department. In one instance Gipps extracted a single paragraph from one of Robinson's reports about a trip to the Western district in 1841. The original document was three hundred and two pages long.¹² Gipps decided that nothing else in the report was pertinent to the issue of Aboriginal protection or necessary for the Colonial Office to read. As he explained to the Secretary of State for War and the Colonies, in presenting such extracts Gipps was 'continuing the practice which I have for some time adopted of furnishing to your Lordship selections from the numerous and voluminous reports which are now made to this Government by the different persons employed in the protection or civilization of the aborigines'.¹³

Unsolicited Advice

The experimental nature of the Protectorate meant that the Colonial Office constantly interfered in the running of the system and allowed the views of those working outside the Chief Protector's Department to have undue influence. Consequently, La Trobe was often required to address specific subjects beyond the normal reporting system. Only three months after La Trobe arrived in Port Phillip the Colonial Office began to forward various reports, suggestions and complaints for comment. The continuation of conflict in the Australian colonies and the often negative reports from Gipps, caused administrators in the Colonial Office to doubt the success of their Protectorate system. When outsiders offered their opinion on the subject, the Colonial Office invariably forwarded such comments to Australian authorities for a response. In this way the Colonial Office forced an increase in reporting and may have believed such interference would produce positive changes to the existing approach. This unsought advice often contained subtle criticism of the administration of current policy further undermining the Chief Protector's Department. La Trobe was put in the position of having to justify his management of the Protectorate and reassure the Secretary of State for War and the Colonies that he was doing all he could for Aboriginal people according to Glenelg's instructions.

In January 1840, for example, the Colonial Office sent La Trobe a report from the entrepreneur John H. Wedge that he was expected to comment on. Wedge had arrived in Van Diemen's Land in 1824 to take up the role of Assistant Surveyor. In 1835 he resigned from his position and travelled with John Batman to explore the area around

Port Phillip across the Tasman Sea. Along with Batman and others, Wedge formed the Port Phillip Association and attempted to claim a tract of land around what was to become the township of Melbourne after making a treaty with local Aboriginal people.¹⁴ The British Government refused to ratify the treaty, known today as the Batman Deed, and Wedge decided to return to Britain for a few years. During this period he prepared his own 'Scheme for civilizing and bringing into industrious habits the Aborigines of New Holland' that he forwarded to the Colonial Office.¹⁵ Wedge also continued to lobby the British Government for compensation in lieu of the income the Port Phillip Association would have received from the lands they claimed from the Aboriginal people of Port Phillip.¹⁶ Gipps asked La Trobe to respond to the Colonial Secretary about Wedge's plan. La Trobe gave a copy of the scheme to Robinson for his consideration but it took the Chief Protector over a year to forward his comments to the Superintendent.¹⁷ By the time La Trobe was able to reply, many of Wedge's suggestions were already in place.

La Trobe sent his comments on the scheme to the Colonial Secretary in August 1841 stating that Wedge's report contained very little that the Chief Protector's Department had not already considered, acted upon or was included in Glenelg's instructions. The only new idea Wedge had to offer was that of a bounty where the Colonial Government would pay settlers for every Aboriginal person they 'reclaimed and domesticated'.¹⁸ La Trobe did not dismiss the suggestion but warned the Government of the need for strict regulation in order to avoid abuse by those wishing to profit from the Aboriginal population. At this time La Trobe was still waiting to see if the Protectorate experiment would fulfil its aims and was cautiously optimistic. His need to reiterate to Lord Russell

that he was doing everything he could to assist Aboriginal people, demonstrated the uncertainty the Colonial Office still felt about the management of the Protectorate system:

I trust that His Excellency will have no hesitation in assuring the Secretary of State that no opportunity of really benefiting the Abor[iginals] in this District will be neglected, and that with a daily increase of experience both of the difficulties in the way . . . and of the proper mode of overcoming them – a gradual improvement in their condition and in their relations with the whites and each other may be effected.¹⁹

Interference

In 1840 Lord Russell, the current head of the Colonial Office, wrote to Gipps to offer further instruction ‘on the subject of the Aborigines’. Russell was hesitant to ‘fetter’ Gipps’ discretion on the matter but at the same time wanted to share with him the findings of reports he had received from the Church Missionary Society and the Colonial Land and Emigration Commissioners. These documents suggested that the Colonial Government could hold land in trust for Aboriginal people and that Gipps should use greater military force to deter violence between Aboriginal people and settlers. Russell offered his opinion that an allocation of fifteen percent of the Land Fund to Aboriginal protection was appropriate. While Russell did not insist that Gipps should take his advice regarding these matters, he did demand an increase in reporting in the form of an annual return from the governor for the Queen and the British Parliament ‘stating all the transactions of the past Year relating to the condition of the Natives, their numbers, their

residence at any particular spot, the changes in their social condition, the Schools, and all other particulars, including the state and prospects of the Aboriginal Races'.²⁰ La Trobe was responsible for the collection of this information for the Port Phillip District.

Colonial Secretary, Deas Thomson, wrote to La Trobe about the matter and made it clear that the Chief Protector should be general and concise in his comments. Such reporting was in addition to and independent from the usual returns submitted by the Chief Protector's Department.²¹

A similar situation occurred two months later when Lord Russell sent Gipps a report from Captain Grey outlaying what he considered to be the 'best means for promoting the civilization of the Aboriginal Inhabitants of Australia'.²² Russell requested that Gipps forward the report to La Trobe and commented that Grey's observations 'appear to me fit for adoption generally within your Government, subject to such modifications as the varying circumstances of the Colony may suggest'.²³ Grey's report included thirty seven points founded on the principle that most attempts to civilise Aboriginal people in Australia failed because of 'a total ignorance of the peculiar traditional laws of this people, which laws, differing from those of any other known race, have necessarily imparted to the People subject to them a character different from all other races'.²⁴ Grey recommended the application of British Law to Aboriginal people without exception. In response Gipps retorted that British law did prevail in New South Wales. He admitted, however, that there was some difficulty in administering the law in the case of Aboriginal people who did not understand it.²⁵ While Gipps replied to Russell himself with regard to Grey's report, he had clearly discussed some of these issues with La Trobe and noted their differing opinions with regard to the issue of Aboriginal employment in particular.

Gipps supported the ‘civilising’ potential of encouraging Aboriginal people to work for settlers, as suggested by Grey. He could see the benefits of introducing them to earning wages. La Trobe, however, believed that interaction between settlers and Aboriginal people was too often detrimental to the latter and preferred to locate Aboriginal people away from populated areas.²⁶ By this time Gipps had approved the establishment of Protectorate stations and despite some hesitancy, La Trobe’s view that the Government could assist Aboriginal people better on reserves away from settlers held sway.

At first La Trobe took time to carefully address each suggestion from the Colonial Office and reassure administrators in London that he was doing everything he could for Aboriginal people. By July 1842, however, La Trobe’s despondency about the Protectorate as an effective method of improving conditions for Aboriginal people was evident. When the Colonial Secretary asked La Trobe to review a plan for the better treatment of Aboriginal people written by pastoralist John Hunter Patterson, he responded briefly forwarding a letter from Assistant Protector Parker on the matter without further comment.²⁷ This was a different response to the nine pages he wrote addressing Wedge’s scheme. Hunter was critical of the Protectors and declared that Aboriginal people directly under their care were more brazen in their attacks on the property of nearby settlers. This comment outraged Parker who officially contradicted Hunter’s statement on his own behalf and that of the Aboriginal people he cared for. Parker believed that someone had sent printed copies of Hunter’s plan to several British Government ministers and parliamentarians, further undermining his reputation and that of the Aboriginal people of his district. In response Parker requested that

this subject may be brought under the notice of the Executive government here in order that I and the aborigines immediately under my control may be protected from any injurious results from this (doubtless unintentional) misrepresentation and that, if necessary, such enquiries may be instituted as will enable Her Majesty's government to form a juster estimate of what has been done in the District entrusted to my care.²⁸

In the midst of his growing dissatisfaction with the Chief Protector's Department, La Trobe left Parker to defend the Protectorate from outside criticism.

London and the Protectors

The Colonial Office was also able to monitor La Trobe's management of the Protectorate through the Assistant Protectors. The Colonial Office's appointment of the Assistant Protectors in England was strategic and ensured that they had no great sense of loyalty toward La Trobe or Gipps. The Assistant Protectors certainly felt no restraint in lobbying the Colonial Office when they thought things were not going the way they should in Port Phillip or writing to their Evangelical contacts in London, such as the Wesleyan Church or the Aborigines Protection Society. Fearing their influence on the Colonial Office, Gipps advised La Trobe to be wary of the Assistant Protectors. One incident that highlighted the potential hazards resulting from La Trobe acting against the Chief Protector's Department was the Lettsom raid.

When La Trobe approved Major Lettsom's imprisonment of a large gathering of Aboriginal people who were camped on the banks of the Yarra in October 1840 after the fact, he did so reluctantly. He heard that a number of the people had gained possession of firearms and feared that they would use them against each other. The inability of the Protectors to either disperse the group or find those with the firearms, whom the Government believed had attacked some settlers in the north of the Port Phillip District, left La Trobe with few options. In the days preceding the raid La Trobe wrote: 'I have hitherto in vain looked to the chief protector's department for that assistance in establishing secure and friendly relations with the aborigines near at hand or at a distance, which can alone render the employment of coercive measures and the maintenance of a large police force unnecessary'.²⁹

Despite Gipps' instructions to Lettsom to avoid acting in a military capacity, he decided that it was necessary to imprison the Aboriginal people who had gathered near the Yarra River *en masse*.³⁰ This decision resulted in the death of Winberry, who was 'aiming a murderous blow at Lieutenant Vignolles', and another man who was attempting to escape from the Commissariat warehouse where Lettsom had detained the four hundred or so people he had rounded-up.³¹ Eventually the judiciary put ten Aboriginal people on trial, charging nine with attacks on settlers and sentencing them to transportation for seven years. Eight of the nine men escaped following sentencing. Although the military killed two Aboriginal people as a result of the raid, the Attorney-General concluded there was no case to answer for any of the soldiers involved. Neither Lettsom nor his men were held accountable for the loss of Aboriginal lives.³²

The Application of British Law

La Trobe felt uneasy about the whole incident afterwards; not because Lettsom had resorted to force when he believed it was necessary but because of the length of time it took to prosecute the Aboriginal people arrested. La Trobe had a strong sense of what was the just and right way to apply British law, which was for him the measure of a ‘civilised’ society. On 5 November La Trobe complained that several of the people arrested as a result of the raid were still in the Melbourne gaol where the Government continued to hold them without charge. No settlers had come forward to identify the guilty men and La Trobe could not ‘see that the purposes of Justice can in any degree be furthered by the detention of those against whom (after the lapse of a month) no direct accusation has been preferred, to whose names and character no very decided suspicion is attached’.³³ Nor did La Trobe feel ‘at liberty’ to interfere in the situation because he wasn’t sure how long Gipps wanted to hold the Aboriginal people in custody as ‘hostages’, presumably to deter further attacks on settlers.

To improve the situation La Trobe suggested that some of the Aboriginal people in custody could return to the Aboriginal Protectorate station in their district under the care of Assistant Protector Thomas. In this way the Assistant Protector could take responsibility for the Aboriginal people he knew, vouching for them on the understanding that they would be available at any later time if necessary to examine them. Thomas, however, decided to go against La Trobe’s wishes and refused to allow the Aboriginal suspects back onto his station infuriating the Superintendent. La Trobe responded by informing the Chief Protector that it was his duty to ‘as far as possible to

advance the common interest of the whole population of the District whether Black or White and I request that you will have the goodness to impress this duty upon the Assistant Protectors'.³⁴

The Assistant Protectors had been troublesome in the lead up to and after Lettsom's raid. The Major complained about their obstruction, in particular, the unwillingness of Thomas to assist in apprehending Aboriginal people within his district before they reached Melbourne.³⁵ Thomas would not help apprehend Aboriginal suspects because he believed this type of action was contrary to his role as an Assistant Protector. Thomas thought Governor Gipps' use of force was 'in opposition to the instructions which he had received from the Home Government'.³⁶ In a letter to the Chief Protector, Thomas explained the reason for his obstruction. Lettsom had asked Thomas to apprehend two individuals without explanation of the accusations or evidence against them. Thomas viewed one of his main duties as the protection of Aboriginal freedom. He refused to arrest anyone, believing himself to be acting according to 'my own feelings as a man, and keeping my instructions from the Home Government in view'.³⁷ If he handed Aboriginal people over to Lettsom without first receiving specific instructions from the Chief Protector, argued Thomas, he would have left himself open to 'heavy damages by the parties, and have drawn down the reprobation of Government, and been justly expelled [from] the magistracy'.³⁸ Robinson agreed with his Assistant Protector and put himself at odds with La Trobe, who was attempting to placate both the Chief Protector and the Major without much success.

Parker and Werrenurneen

Thomas was not the only Assistant Protector disturbed by the Lettsom raid and its consequences. After the government had released most of the Aboriginal prisoners, they made their way back to their districts. Assistant Protector Parker reported on 20 October 1840 that forty people had arrived on his temporary station north of Sunbury. These people included both Dja dja wurrung and Taoungaurng (Daung wurrung) men, women and children.³⁹ One of the women named Werrenurneen was dangerously ill. Her husband was a man named Yerringonail who had escaped from the government store after the raid. Werrenurneen had a two-year-old child with her named Doomgarook whose parents were also escapees from the store. Parker suggested to Robinson that Assistant Protector Le Souef send his cart so that Werrenurneen and the child could travel to the Goulburn Aboriginal station for medical treatment. As Daung wurrung people, they were the responsibility of Le Souef and Parker thought his fellow Protector was in a better position to provide the care they needed.⁴⁰ Nine days later Werrenurneen died during the night on 28 October. Parker heard from the other Aboriginal people camped at his station that Werrenurneen had been sick but her detainment overnight in the government store in Melbourne exacerbated her illness. Parker's distress over her death and what he saw as the wrongful imprisonment of the Daung wurrung people caused him to write passionately to the Chief Protector protesting Lettsom's actions. Parker felt bound by his position as Assistant Protector to represent the views of the Aboriginal people in his district to his superiors. He 'strongly' complained

against the violent and illegal proceedings adopted against the inoffending Women and Children of the Tribes latterly incamped near Melbourne; and especially against the subsequent detention of those connected with the Taonugurog Tribe: many of

whom were in a miserable state of disease, it is my anxious desire to see the real Criminal apprehended and punished; but a sense of Duty compels me to point to the accelerated death of this women, as another instance of the indiscriminate Character of the proceedings too frequently resorted to by the Officers of the Mounted Police against the unfortunate Aborigines.⁴¹

The complaints of the Protectors, including those of Robinson, about the Lettsom raid concerned Gipps and La Trobe. Gipps, in particular, feared the Protectors would find support in London and lobby against them. The loyalty of the Protectors was clearly with the British Government not Colonial authorities. Gipps warned La Trobe that he needed to be cautious in his actions toward the Chief Protector's Department. The use of Lettsom to investigate Aboriginal attacks demonstrated both La Trobe and Gipp's lack of confidence in the Protectors and their ability to negotiate with Aboriginal people. Caught between two competing masters, the colonial settlers and the British Government, Gipps associated the Protectorate with British authority. He did not appoint the Protectors, he believed they were unequal to the task required of them and he disliked their intrusion on local Aboriginal affairs because he felt they were too much in sympathy with the reformist Evangelical movement in London. Gipps resented the potential influence of the Protectors that could so easily work against him and La Trobe. This division and Gipps' hesitancy about British Government support was made clear when he advised La Trobe that 'Their representations we know in England will be credited (I do not mean by the Govt. – but by Persons perhaps more powerful than the Govt.) whilst the reports of all persons filling official stations here, will be received with suspicion – or entirely disbelieved.'⁴²

The Use of Force

The influence of the Protectors, which Gipps referred to, may have been more imagined than real but the Colonial Office was in receipt of all the documents concerning the Lettsom raid and would have read Thomas' criticism. Perhaps with this in mind, Lord Russell informed Gipps that he approved of the employment of Major Lettsom but not the way in which he carried out his investigations. Russell argued that Gipps should send the Assistant Protectors to find those guilty of the attacks before he used military force. Russell questioned whether or not Lettsom had any genuine evidence that would convict those he believed guilty of the offensives in the north. He informed Gipps that

the course for you to pursue would be to send an assistant protector to the aborigines, and require them to deliver up for trial any one or more of their number who might be identified by a settler complaining of an attack, or loss of property. Should they refuse to give up the offenders, they will then render themselves liable to such proceedings as those adopted by Major Lettsom; though even in such case those proceedings should not be undertaken without some hope of convicting the parties guilty of outrage or theft.⁴³

La Trobe never would have countenanced the violent apprehension of Aboriginal people unless as a last resort. He stated his viewpoint on this in a letter to Lettsom the day before the raid. La Trobe noted his concern for what he saw as the obstinate behaviour of Aboriginal people, their increasing hostility to settlement and their resistance to 'the arm of the civil power'.⁴⁴ Faced with the challenge of placating the Aboriginal population and

bringing those to justice who committed violence, La Trobe concluded that ‘force, in ordinary cases, shall never be adopted with my sanction, as long as there remains any hope that friendly and peaceable relations can be secured by other means’.⁴⁵ The Protectors, however, gave La Trobe no reason to believe they could bring about ‘peaceable relations’ between settlers and Aboriginal groups. Robinson pleaded for La Trobe to give the Protectorate more time but in the end La Trobe agreed to commission Lettsom to apprehend the Aboriginal suspects. He advised Lettsom to use his weapons to ‘overawe opposition’ and warned him that ‘nothing but extreme and imperative necessity can palliate the shedding of blood, and I rely upon your acting in such a manner in fulfilling your instructions from his Excellency as may satisfy him that you have exercised all possible discretion and forbearance’.⁴⁶ While the Colonial Office wanted to be closely involved in determining the response to issues that arose regarding Aboriginal and settler relationships, it could never fully understand the difficulties that La Trobe faced on a daily basis.

New South Wales Legislative Scrutiny

While the British Government, through the Colonial Office and the Protectors, observed and critiqued La Trobe’s management of the Protectorate, a shift occurred in 1843. In the early 1840s the New South Wales Government kept track of the Protectorate mainly through La Trobe’s ongoing reporting to Governor Gipps. While the Governor submitted all correspondence relating to the Chief Protector’s Department to the New South Wales Legislative Council, its main concern was expenditure rather than policy. In 1839 the Colonial Secretary, Deas Thomson, submitted an estimate of the probable expenses of

the Protectorate and Aboriginal missions for the following year amounting to £5, 454.⁴⁷

In 1841 more extensive information appeared including two despatches from the Colonial Office forwarding various suggestions for the improvement of Aboriginal people.⁴⁸ A statement of actual expenses for 1840 was also included and replies to a circular letter sent to various settlers in remote districts from the Immigration Committee on 12 June 1841 asking them to report on their success employing Aboriginal people on their stations.⁴⁹ As the Legislative Council became more representative, however, it took a greater interest in the determination of Aboriginal affairs in the colony. This increasing involvement coincided with the Colonial Office's growing realisation that the Protectorate was not improving conditions for Aboriginal people as the British Government intended.

By 1842 both Gipps and La Trobe were seriously questioning the viability of the Protectorate system. La Trobe got along well with his superior Gipps and for the most part their views about the management of the Protectorate coincided. On 16 May 1842 La Trobe felt comfortable writing to Gipps about his disappointment in the Chief Protector's Department. He had already expressed his doubts to the Governor in January 1840 but now put his view more forcefully. For La Trobe, the Protectorate was not working and 'no result, commensurate with the importance assumed by the department, with the magnitude of the object aimed at, or even with the expense incurred, can be looked for'.⁵⁰

Gipps had always been sceptical about the Protectorate and took the opportunity presented by La Trobe's comments to convey his opinion to Lord Stanley in the Colonial Office.⁵¹ The Chief Protector, Gipps observed, was 'unequal to the control of what is

becoming a large and expensive department’ and in advanced years ‘beyond the prime of life’.⁵² The Assistant Protectors, he argued, lacked enthusiasm, were not men of action and tended to exacerbate the delicate relationship between settlers and Aboriginal people rather than improve it. Gipps concluded that the settlers did not respect the Protectors and would not confide in them, making the role of protecting Aboriginal people from violence difficult.

Lord Stanley reluctantly conceded that British protection policy was having little effect improving conditions for Aboriginal people. Having read Gipps’ reports about the lack of success the missions and the Assistant Protectors were having converting and ‘civilising’ Aboriginal people in New South Wales, Lord Stanley had to confront the reality of the situation in the colony:

After the distinct and unequivocal opinion announced by Mr. La Trobe, supported as it is by the expression of your concurrence, I cannot conceal from myself that the failure of the system of Protectors has been at least as complete as that of the missions. I have no doubt that a portion of this ill success, perhaps a large portion, is attributable to the want of some judgement and zealous activity on the part of the Assistant-Protectors.⁵³

Lord Stanley gave Gipps permission to halt all funding to the Protectorate and the surviving missions. He decided to leave the final decision about the future of the Chief Protector’s Department to Gipps of whom he wrote, ‘no one feels more strongly than yourself the duty as well as the policy of protecting, and if possible, civilising these

Aborigines, and of promoting a good understanding between them and the white settlers'.⁵⁴

Continuing the Protectorate

Lord Stanley issued Gipps with no specific instructions. Gipps referred the matter to the New South Wales legislature and an examination of all measures instigated for the protection of Aboriginal people took place. In 1843 the *Votes and Proceedings* of the New South Wales Legislative Council contained a review of Aboriginal affairs up to that time. There is no record of debate about the issue in the Council but funding to the Protectorate continued after 1843, although much reduced. La Trobe played an important role in the decision to continue with the Protectorate system, just as his earlier comments condemned it. With the future of the Protectorate hanging on the edge of a precipice, La Trobe decided to visit the Protectorate station at Larnebarramul on the Loddon to see for himself how things were going. This was not the first time La Trobe had taken matters into his own hands and visited the Aboriginal stations, but this journey to Larnebarramul was to have a significant outcome for the future of the Chief Protector's Department.⁵⁵

Assistant Protector Parker ran the Larnebarramul Station which, to La Trobe, seemed to be the one hopeful example that the British approach to 'civilising' Aboriginal people might be having an effect. La Trobe reported to the Colonial Secretary that Parker's management of the station was more than adequate. No Aboriginal deaths had occurred in the district since the establishment of the station and no violence against local settlers

had taken place for some time. At last La Trobe was able to report some positive improvement. For his part, Parker submitted an extensive census of the Aboriginal people of his district in a special return of January 1843 that named 670 individuals.⁵⁶ The Aboriginal people of the Mt Macedon (Loddon) district were becoming more inclined to frequent the station, the Protector noted, particularly with the steady availability of food. This regular attendance was important if Parker was to instruct Aboriginal people in Christianity and other forms of secular education. He reported an average daily attendance at Larnebarramul Station of 114 people. Although costs were high, Parker was hopeful that an increase of land under cultivation would reduce expenses by providing supplies and making the station more self-sufficient. He complained about the negative moral effects that local employment on squatting runs had on Aboriginal people and wanted a greater police presence, but concluded:

I earnestly hope that by a steady perseverance in the present system, ample provision may be made for the aborigines in compensation for the loss of their country – the property of the settlers may be rendered secure, the peace of the country preserved – and ultimately these long degraded people raised to the enjoyment of the blessings of civilisation and christianity.⁵⁷

La Trobe's positive assessment of the Larnebarramul Station brought Parker's 'earnest hope' to fruition and ensured the continuation of Protectorate for another few years.

Increasing Interest by Local Authorities

The dismissal of Assistant Protector Sievwright in the Western district and Assistant Protector Le Souef in the Goulburn district in 1842, prompted the Legislative Council to push for more extensive reporting on the Aboriginal situation. In the same year the Constitution Act created a partially elected Legislative Council in New South Wales.⁵⁸ A small nominated council no longer dominated the Government of New South Wales, weakening the control of the Governor. After 1843 the Legislative Council began to review Aboriginal affairs in Port Phillip more closely. In 1844 the council sought information about two of its main concerns; the increasing number of Aboriginal deaths from disease and the mortality rate for both white and Aboriginal people from inter-racial violence.

La Trobe had already acknowledged the importance of medical assistance for Aboriginal people when he appointed surgeons Dr John Watton and Dr W.H. Baylie to replace Sievwright and Le Souef rather than more Assistant Protectors.⁵⁹ While informed of this development, the Legislative Council requested further information about the level of medical aid given to Aboriginal people in the past. At the same time Gipps requested La Trobe report on the number of Europeans killed by Aboriginal people and vice versa since British occupation of the Port Phillip District. As the Chief Protector was away, La Trobe compiled this return himself and reported that during the period 1836 to 1844 there were forty European deaths and one hundred and thirteen Aboriginal deaths. He warned the Colonial Secretary about the validity of these statistics, however, pointing out that

The number of Whites who have perished, though I consider it probably under-rated, may approximate to the truth; but I have little confidence in the result of my attempts

to ascertain the number of the Natives who may have fallen by the hands of the European Settlers, particularly in the earlier years of the settlement.⁶⁰

These reports were not enough for the Legislative Council to make a full assessment of the situation in Port Phillip and the financial drain of the Protectorate concerned the Council. Despite significant financial cut backs, the viability of the Protectorate remained under question. Two former Assistant Protectors were also causing problems. Sievwright fought his dismissal and a Committee of Inquiry was still reviewing the matter in 1844.⁶¹ Le Souef was also being troublesome after his suspension for inappropriate behaviour. Both men petitioned the Colonial Government protesting their removal from office prompting another inquiry.

In 1845 Richard Windeyer, lawyer and member of the New South Wales Legislative Council, called for a Select Committee Review of the 'Condition of the Aborigines'.⁶² Windeyer was a member of the Aboriginal Protection Society and advocate for the right of Aboriginal people to submit legal evidence. He and Gipps fought over the legitimacy of the Legislative Council's control over land revenue whose distribution was still in the hands of the Executive under Gipps' administration.⁶³ The Council approved the appointment of the Committee and elected Windeyer as chair. The Committee's particular interest was the running of the Chief Protector's Department and the expenses it incurred. On 23 September the Legislative Council ordered that Windeyer's Committee review and assess all correspondence regarding the Protectorate.⁶⁴ Just over a month later the Committee submitted an interim report on its work so far that included a notice of expenses, testimony of witnesses and replies to a circular letter directing relevant

individuals to report ‘upon the condition of the Aborigines, and the best means of promoting their welfare’.⁶⁵ The final report with the Committee’s conclusions, however, never appeared because Windeyer died before its completion.⁶⁶

La Trobe did not report directly to this Committee but sent replies from all the Protectors to the circular letter. He had already made his position on the Protectorate quite clear and Gipps had permission from the Colonial Office to wind-up the Protectorate whenever he wanted to. Given the tension that existed between the Executive and the Legislative Council in New South Wales regarding the distribution of finances, prompted by the Governor’s continued control over the land sales revenue, Gipps may have wanted to wait until the council clearly supported the withdrawal funds to the Protectorate before he acted. Gipps may also have decided not to act too hastily in abandoning a system promoted so strongly by the Colonial Office in London. Whatever was in Gipps’ mind, the failure of the 1845 Select Committee to hand down its findings meant that the Protectorate continued for a few more years.

A New Governor

A year later an ailing Gipps relinquished his position to a new governor, Charles Augustus FitzRoy.⁶⁷ FitzRoy took over the administration of New South Wales in August 1846. The new governor thought favourably of La Trobe of whom he commented only a month after they had met that the Colonial Office could not have appointed a more worthy officer for the role of superintendent.⁶⁸ FitzRoy’s initial response to viewing the Protectorate reports was to shut it down but first he asked La Trobe to ‘state whether,

after the experience he had acquired of the working of this system, he would recommend its continuance, or, if not, whether he could propose any modification of it'.⁶⁹ La Trobe could offer no reason to continue the Protectorate but delayed a final decision until he had visited the remaining Protectorate stations himself, as he had done so when previously asked to review the Chief Protector's Department. Nevertheless, La Trobe offered his belief that the Protectorate had failed to achieve its main objectives of protecting and 'civilising' Aboriginal people:

I am disposed to think, that had no such establishment existed, the state of the Aboriginal Natives within the District, would not at this hour have differed very greatly from it now is: And that the improved understanding to be now generally remarked between the European and Aboriginal native is less the fruit of any influence which the Protectorate was in a position to exert or has exerted, than of the altered position, and circumstances of both parties, and the better appreciation that such possesses of the character and powers of the other.⁷⁰

The number of Aboriginal deaths had also decreased after 1845 and the urgency that had attended the instigation of the Protectorate abated somewhat. While still waiting for a definitive answer from La Trobe, FitzRoy forwarded the Superintendent's initial response to the Colonial Office in London. A few months later in early 1848, the Secretary of State for War and the Colonies, who was by then Earl Grey, replied to FitzRoy's despatch.

Grey expressed regret that the Chief Protector's Department had shown so little progress civilising and improving conditions for Aboriginal people. He accepted that the success

of the department rested in large part on the character of the individuals involved and their execution ‘of such peculiar and delicate duties as that of interposing between Settlers and Aborigines’.⁷¹ Taking up La Trobe’s statement that the office of Chief Protector was not needed, Grey asked FitzRoy to make a final review of the office ‘with the aid of such local authorities as you may deem it most advisable to consult’. He also gave FitzRoy the discretionary power to abolish the Protectorate if the results of his inquiries were unfavourable. In November La Trobe put forward his conclusions in a long letter to the Colonial Secretary. For the New South Wales Executive Council La Trobe’s report was particularly important. This correspondence represented a summation of La Trobe’s views on the issue of Aboriginal and settler conflict that he had been developing since the earliest days of his superintendency. The effect of La Trobe’s withdrawal of support for the Protectorate was decisive.

While the Executive Council continued to review the situation, the New South Wales Legislative Council instigated another Select Committee on the ‘Aborigines and Protectorate’, appointed in June 1849.⁷² The Committee’s final report opened with Earl Grey’s despatch of February 1848 and La Trobe’s letter from November the same year. FitzRoy had done as Grey had advised and sought advice from the local legislature to support his decision to act on La Trobe’s findings that the Protectorate had ‘totally failed to effect any of the higher and more important objects aimed at’. The Select Committee of 1849 came to the same conclusion and recommended the cessation of the Protectorate system. Following this decision, the Colonial Government downgraded the need to assist Aboriginal people in Port Phillip and other events such as the separation of the Port Phillip District from the Colony of New South Wales largely suppressed the urgency of

the issue. The Select Committee submitted its report to the Legislative Council in September 1849. In October the Executive Council decided to act upon the Select Committee's findings and abolished the Chief Protector's Department at the end of the year.⁷³

In the early years of the Protectorate a stringent reporting system set in place by the Colonial Office inhibited La Trobe's supervision of the Chief Protector's Department. While La Trobe was able to push for some things, such as the allocation of reserves, he had minimal control of the Protectorate. As it gradually became clear that the system was not fulfilling its aims to protect and 'civilise' the Aboriginal community, La Trobe's views became more persuasive in determining its final outcome. By 1845 the Colonial Office had given the New South Wales Government greater autonomy with regard to its management of Aboriginal issues. Local authorities in Sydney came to rely upon La Trobe's views about this important aspect of his superintendency. La Trobe was able to influence the Colonial Government through the local review process. He did not, however, find a way to improve the system of Aboriginal protection and was unable to offer an alternative that he thought morally acceptable. His lack of an alternative plan limited La Trobe to approving or disapproving the Protectorate rather than showing leadership in the determination of Aboriginal policy.

LA TROBE'S DISILLUSIONMENT

At the outset of his superintendency La Trobe believed emphatically that legal clarity and 'civilisation' through conversion to Christianity would protect Aboriginal people. The colonial legal system, however, was fraught with difficulties that were to frustrate his belief in the effectiveness of the operation of the law as the means for bringing about peace between Aboriginal people and settlers in the Port Phillip District. Similarly, attempts to 'civilise' Aboriginal people by converting them to Christianity produced few results. The many difficulties that La Trobe confronted while attempting to find a place for Aboriginal people in a rapidly developing white settlement, led him to question his reliance on God and the law as the main determinants of Aboriginal survival. He became increasingly aware that these concepts, which also formed the basis of the Protectorate system, were ineffective in Port Phillip.

A Belief in Truth and Justice

La Trobe upheld the liberal notions of truth and justice that were so influential in the late eighteenth century. Writing to Gipps in April 1840 about a serious conflict in the Western district between settlers and the Aboriginal community, La Trobe concluded, 'All I can do is try to get at the truth'.¹ Later in the year he was at pains to reassure Robinson that 'no obstacle would be allowed to interpose itself in the way of the direct course of justice'.² In reality La Trobe could not ensure a clear path to seeking redress for criminal behaviour and he soon became aware of the numerous obstacles that prevented

the judiciary from initiating proper legal proceedings when Aboriginal people were involved.

In a proclamation of May 1839 Governor Gipps reasserted the status of Aboriginal people as British citizens and their right to legal representation. The Colonial Office instructed Gipps to inform the public of New South Wales that ‘the natives of the colony have an equal right with the people of European origin to the protection and assistance of the law of England’.³ Ensuring that the judiciary was able to prosecute offences against Aboriginal people properly, however, was difficult. The British Select Committee on Aborigines had originally suggested that

Each Protector of Aborigines should be invested with the character of a magistrate, and should be required to promote the prosecution of all crimes committed against their persons or their property; while in the event of any of them being charged with the commission of such offences, the Protector should, either in person or through the agency of some practitioner of the law, to be employed and instructed by him, undertake and superintend the defence of the accused party.⁴

Glenelg similarly instructed that the Protectors were to act as magistrates to ‘watch over the rights and interests’ of Aboriginal people in their care and ‘represent their wants, wishes or grievances’.⁵ Unfortunately the Assistant Protectors were ill prepared for their role as officers of the law.

Gipps did not provide instruction for the Assistant Protectors about their magisterial duties and they did not know how to take depositions that would be acceptable in legal

cases. As a result, La Trobe had cause to question the length of time it often took the Assistant Protectors to gather evidence for a case and the way they conducted themselves. In December 1839 he wrote to Robinson displeased about the way Parker had investigated a case involving a member of the Mounted Police accused of murdering around forty Aboriginal people near the Campaspe River. Parker had withheld the source of some of his information concerning the number of people killed and, when pushed by La Trobe, admitted that one of his sources was ‘not a man whose veracity could be depended on’.⁶ La Trobe concluded that ‘The proper measures to elicit the truth have evidently never been taken’. The delay of seven to eight months in taking depositions relevant to the case was also unacceptable to La Trobe. He sent Robinson to investigate further hoping that with assistance Parker ‘may be enabled to take proper measures in his magisterial capacity as suggested by the Attorney General, for the discovery of the truth’.⁷

La Trobe was clearly frustrated that the judiciary was not investigating or prosecuting serious ‘collisions’ that caused considerable loss of life. The Superintendent admitted that although ‘numerous as the cases have unfortunately been in which the lives of the Aborigines have been taken in this district, in no single instance has the settler been brought before the proper tribunal’.⁸ Initially the problem rested not so much with the Attorney General and the courts as with the Assistant Protectors’ lack of understanding about how to act as magistrates. La Trobe became aware of the extent of this issue during a case of settler and Aboriginal conflict in the Western district at the end of 1840. After conducting an initial investigation into the case, Assistant Protector Sievwright sent his depositions to the Attorney General to initiate charges against the accused. The Attorney

General, however, did not act upon the evidence he received because the depositions ‘were not in a sufficiently complete state for his interference in this case’. The Attorney General wrote to Sievwright to inform him of his duty and the correct legal procedures in relation to the protector’s position as a magistrate but Sievwright apparently ignored his advice. At a loss to understand the Assistant Protector’s attitude, La Trobe reported to the Colonial Secretary:

I am unable to explain why the Assistant Protector has never acted upon the advice this directly conveyed by the Attorney General & reiterated by the clerk of the Crown on more than one occasion. No decided step has been taken by him in any of the lamentable cases of collision between the settlers & Aboriginal Natives of his district although it appears to me that if his opinion of the character of the homicides in question were really that which he conveys, it was clearly & imperatively his duty to do so.⁹

The Assistant Protectors were to present evidence in legal cases in defence of the Aboriginal people in their care and advocate on their behalf. This role conflicted with the supposedly neutral position of a magistrate. La Trobe was aware that the protectors could not act impartially and doubted ‘the propriety or wisdom of his considering himself in the same light as a lawyer’.¹⁰ He did expect, however, that the protectors would prepare their evidence according to legal custom, ensure Aboriginal witnesses attended court when required and ‘adopt any other measures which may be necessary’ such as arranging for interpreters to be present.¹¹

The Problem of Evidence

Even when the Assistant Protectors investigated properly the courts questioned the validity of Aboriginal evidence resulting in the acquittal of many who were guilty of violent crimes. According to the law testimony given by Aboriginal people was inadmissible because if they did not adhere to the Christian faith they could not swear an oath on the bible. The Aboriginal population, colonial judges argued, were ‘ignorant of a Supreme Being and a future state’.¹² Robinson drew attention to this problem describing it as one of the ‘legal disabilities of the aborigines’ in his report of December 1841. Prosecuting those guilty of violence towards Aboriginal people, including murder, was extraordinarily difficult because ‘in nine cases, I may say, out of ten where natives are concerned, the only evidence that can be adduced is that of the aborigines. This evidence is not admissible’.¹³

Realising even before La Trobe took up his appointment as superintendent that the law needed changing, Gipps had applied to the Secretary of State at the end of 1838 seeking the acceptance of evidence from Aboriginal witnesses. The Marquess of Normandy replied that this was a local legislative issue and advised Gipps to bring the matter before the New South Wales Government.¹⁴ The Marquess was sympathetic and agreed, ‘so far as the rejection of their testimony is founded on their want of religious knowledge and of the sanctions by which Religion forbids the violation of truth in Judicial testimony . . . the absolute rejection of the testimony on such grounds would appear to be injurious to the interests of Justice’.¹⁵ In 1839 Gipps put forward a Bill accepting Aboriginal evidence to the newly established New South Wales Legislative Council but the British Government declared the legislation invalid.¹⁶ After four years the Secretary of State

managed to convince the British Parliament to allow the Colony of New South Wales to determine its own legislation on this issue. By this time wealthy squatters with significant land interests had control of the Legislative Council and when Gipps introduced a second Bill in 1844 the Council voted against it.¹⁷

The reluctance of settlers to inform on each other for attacks on Aboriginal people also inhibited the prosecution of individuals for violent crimes. In 1845 Charles Griffith argued that the acknowledgement of Aboriginal people under British law ‘really does them an injury, by causing the less scrupulous of the settlers, or their servants, in secret, and without any efficient control, to take the law into their own hands, and to revenge attacks on their properties or loves at their own discretion’.¹⁸ The reluctance of settlers to talk about instances of violence they witnessed annoyed Assistant Protector Parker so much that he suggested the Colonial Government make the withholding of information a crime. Parker recommended that a law or regulation be made to ensure that individuals holding squatting licences ‘communicate to the proper authorities any affair involving the security of life or property which they or their servants may have with the aborigines and that any licensed person who shall willfully [sic] conceal the slaughter of any aboriginal native by himself or servants under whatever circumstances’ be deemed incapable of holding a license.¹⁹ La Trobe supported Parker’s proposal but pointed out that it would be difficult to enforce. The slowness of investigations into cases of conflict was a major deterrent to putting such a policy into practice. As La Trobe observed, ‘to enable the Government to do this to effect it is scarcely just to allow 12 months to pass over between the offence & a punishment, the promptest infliction of which would but poorly compensate its inadequacy’.²⁰

A New Legal Code

La Trobe soon realised that there were so many obstacles to the efficient prosecution of offences that he could not guarantee justice for either the Aboriginal or the European population. The Select Committee on Aborigines had anticipated some of these issues when it recommended in its report of 1837 that the Protectors develop a ‘temporary and provisional code for the regulation of the Aborigines’.²¹ Robinson similarly called for a specific legal code that would do more to protect Aboriginal people in the courts. In 1841 the Chief Protector concluded that such a code was vitally important to the welfare of Aboriginal people and their continued existence in Port Phillip.²² In a report of June 1846 La Trobe outlined several cases of conflict under scrutiny by the Colonial Office in London.²³ Believing by this time that British law was completely inadequate in the situation he was confronted with in the Australian colonies, La Trobe took the opportunity to report further with an extensive outline of all the cases of ‘note’ that involved a violent exchange between Aboriginal people and settlers in his district for the period 1840-1845. Writing to the Colonial Secretary, but for an audience in the Colonial Office, La Trobe restated the difficulty ‘which is experienced in dealing with the Aboriginal natives of this colony under circumstances which would make them amenable as British subjects to British Law’.²⁴ He went on to declare that

Not only was the inapplicability of that Law tacitly acknowledged in dealing with the natives committing the minor offences, but that its inapplicability or rather the inapplicability of the forms by which it is beset, had been again and again

demonstrated in cases of graver character, when necessity rendered it imperative that the attempt should be made to enforce and apply it.²⁵

For La Trobe the application of British law in cases involving Aboriginal people was a failure that he continually tried to address.

More than once La Trobe attempted to seek clemency in situations where he considered there had been a miscarriage of justice. In 1842, for example, La Trobe interfered in the case of an Aboriginal man named Rodger convicted of the murder of a Mr Codd. He wrote to Gipps to protest Judge Willis' sentence of execution when, La Trobe believed, Mr Codd's own 'sly murder' of many of Rodger's people had provoked the attack. La Trobe expressed his concerns to Gipps writing 'the more I see of the actual state of things in this dist. As regards the relations of blacks and whites towards each other, the more cautious I feel in stigmatising the excesses committed by the former as *unprovoked*'.²⁶ The execution, however, went ahead because the governor was unwilling to overrule the judge's decision after the New South Wales Executive Council had confirmed it and he could not confer the power to grant pardons to La Trobe.²⁷ Any successful intervention on La Trobe's behalf would also have raised other problems. As he explained to Parker, after he had similarly requested the mitigation of a sentence of transportation given to an Aboriginal man named Warrinjah Jemmy in 1847:

Were His Excellency to interfere with the course of Justice by mitigating the sentence awarded by the Judge, He conceives that it would be offering an inducement to the White People to take summary revenge upon the Blacks in every case in which they

may be the aggressors, instead of, as in the present case, securing their punishment by due course of Law.²⁸

Neither the current state of legal proceedings nor La Trobe's efforts to bring about change could secure a satisfactory outcome for Aboriginal people. La Trobe made several attempts to point out to the Colonial Government the endemic problems that plagued the administration of British law in the colonies but without effect. By the mid-1840s squatting interests controlled the New South Wales Legislative Council. The newly elected parliamentarians had little sympathy for Aboriginal people and no wish to change the legal system to make it more equitable. The Colonial Government ignored La Trobe's call for 'modifications of law'.²⁹ For La Trobe, the failure of the colonial judiciary to prosecute individuals for violent offences undermined his fundamental belief in truth and justice for all peoples.

The Christianising Role of Aboriginal Missions

While he was never really convinced that the Protectorate system would fulfil its aim to 'civilise' Aboriginal people, it was an even greater disappointment to La Trobe that the Christianising role of the Aboriginal missions was also a failure. When he arrived in Port Phillip La Trobe believed passionately that the role God intended for the European in their contact with Aboriginal people was to bring them spiritual enlightenment. The 'primary object' of all British plans for the original inhabitants of Port Phillip should be to convert them to Christianity.³⁰ La Trobe was supportive of those Assistant Protectors who prioritised the religious education of Aboriginal people and would have agreed with

Arthur's emphasis on this aspect of their role. Assistant Protector Dredge, in particular, earned La Trobe's respect as an individual well suited to the job of Protector because of his strong religious calling. La Trobe even went so far as to describe him as 'far superior in his principles of action to his Chief'.³¹ Dredge and La Trobe agreed that the only way they could help Aboriginal people adjust to the colonisation of their country and raise themselves from the debasement of their 'savage' life was through conversion to Christianity. In July 1841 La Trobe forwarded a letter to Gipps from Dredge in which the Assistant Protector emphasised the necessity of this approach writing

it is only to the especial blessing of God, resting upon the labours of devoted men instructing the heathen in the simple truths of the Gospel, that we must look for success in attempts to christianize & consequently civilise them: & that no efforts of our, however well meaning & persevering, will ever produce that result, that are not based upon this principle.³²

Dredge was not the only Assistant Protector who saw this need, although he was certainly the most vocal.

Robinson and his assistants pushed for the appointment of religious instructors from the outset aware that they could not do enough in the time they had available. The Wesleyan Assistant Protectors - Dredge, Parker and Thomas - all pointed out the need for the Government to do more about converting Aboriginal people to Christianity. The lack of support for his missionary endeavours eventually led Dredge to abandon his position as Assistant Protector in 1840. He declared that the main reason for his resignation was that his role had turned out to be an exclusively civil and not a religious one. He had been led

to believe by Arthur that the job of Assistant Protector ‘was to be as much as possible of a missionary character, and that consequently preference would be given to men who had been accustomed to public religious teaching’.³³ He felt disillusioned and let down by the reality of his work that did not allow for greater religious ministering. Dredge concluded of his brief experience as Assistant Protector in Port Phillip:

I beg to offer it as my opinion – an opinion formed amidst scenes of degradation and suffering which it is impossible for me to describe – that if ever the Australian Aborigines derive any permanent advantage either temporal or spiritual from European interference with their condition it must be by bringing the Gospel to bear upon it. Civil Protection, and or mere Civilization, is solemn trifling and must end in the most fearful results. It is not to the temporising quackery of Government schemes that I look with any hope of success, but to the christian community of my Fatherland.³⁴

Following Dredge’s departure, Parker took up the call for more religious instruction and tried to encourage the appointment of missionaries to each of the stations.

In December 1840 Parker wrote to Robinson suggesting the immediate nomination of missionaries for each of the central stations, in keeping with the Select Committee recommendations.³⁵ In his enthusiasm for the idea, Parker spoke to the Wesleyan missionaries at Buntingdale and gained their support. Robinson reported to La Trobe in January 1841 that ‘the Wesleyan Missionaries are willing, provided it merits the approbation of the Government to undertake not only this duty but also the Christian education of the other Tribes under Mr Assistant Protector Sievwright’ with whom they

had already been working with in the Western District.³⁶ As Robinson explained, the idea that each station would have a permanent missionary came directly from Glenelg's instructions in which he referred to religious teachers. Robinson wanted the appointment of 'properly qualified persons, as recommended in the Right Honourable the Secretary of State's despatch'.³⁷ Despite this lobbying, and further requests by Robinson and Parker, the Government did not appoint missionaries.³⁸ The reason behind this decision seemed to be financial rather than any lack of support from La Trobe.

The Experience of the Missionaries

The civil nature of the Protectorate was a disappointment to La Trobe and led to what he described as its total failure to achieve any of the aims envisioned by the Select Committee.³⁹ The really challenging and personally devastating issue for La Trobe was that the Church run missions were also unsuccessful. In 1842 Gipps wrote to the Colonial Secretary for War and the Colonies, Lord Stanley, about the growing despondency of missionaries in New South Wales at Wellington Valley, Moreton Bay, Lake Macquarie and at Buntingdale in Port Phillip. The missionaries at Buntingdale declared they were unhappy with the results of their work and that 'a feeling of despair sometimes takes possession of our minds, and weighs down our spirits'.⁴⁰ With the news of the difficulties experienced by the Assistant Protectors also on his mind, Lord Stanley replied that 'In the face of such representations, which can be attributed neither to prejudice, nor misinformation, I have great doubts as to the wisdom or propriety of continuing the missions any longer'.⁴¹ This decision was not an easy one, as Stanley confessed, 'You will be sensible with how much pain and reluctance, I have come to this opinion'.⁴²

Gipps halted all funding to the missions, except for a small sum of £125 given to the Church Missionary Society at Wellington Valley, from the end of 1842.⁴³ The Buntingdale mission, the only one active in Port Phillip, had received the second highest amount of Government support in the Colony of New South Wales. From its inception until 31 December 1842 the Colonial Government had granted the Wesleyan's over £4,538 to run their mission.⁴⁴

When Francis Tuckfield wrote to La Trobe about the closure of the Wesleyan Mission at Buntingdale on the Barwon River in 1848, he expressed profound sadness:

I can only here express my very great regret that after a period of ten years exertion and steady devotion to the important objects embraced by the Mission, and after a comparatively large expenditure, that abandonment has become advisable, less from a decay of zeal or the absolute failure of means, than from the plain reason that the efforts made to christianise and civilise the Natives, have proved utterly abortive.⁴⁵

La Trobe had to come to terms with the reality that the Christian faith he believed in had proved inadequate to, as Dredge put it, spiritually or temporally 'save' the Aboriginal people of Port Phillip. As soon as La Trobe announced the closure of Buntingdale, squatters removed by the government to create the mission reclaimed the land. While the absence of Christian conversion among Aboriginal people may have thwarted La Trobe's humanitarian goals and been personally disheartening, it did not completely destabilise his belief in the Christianising mission. After the closure of the Protectorate in 1849 he supported the creation of a Moravian mission at Lake Boga, helping to arrange for two missionaries to travel from Germany to run the establishment.⁴⁶ La Trobe never lost hope

that missionary work may have some success, despite his admission of the failure of all previous attempts. When he put forward his plan for what should happen in the post-Protectorate period he stated that any inclination towards missionary work or the establishments of schools among Aboriginal people should be encouraged ‘irrespective of past discouragement or want of success’.⁴⁷

A New Approach to Christianisation

When asked to comment on the working of the Protectorate by a New South Wales Select Committee of 1845, Assistant Protector Thomas wrote candidly of the problems associated with converting Aboriginal people. Thomas attributed much of the difficulties of conversion to the fact that in the early years of the settlement of Port Phillip ‘nine-tenths’ of the population were ‘not only unconverted, but felons’.⁴⁸ Thomas continued: ‘the aborigine here has ever been, from his knowledge of white men, blended with those far beneath him in moral debasement, sufficient to thwart the exertions of any missionary, however zealous and devoted’.⁴⁹ La Trobe also understood that it was the lack of faith among the European population that was hampering the conversion of Aboriginal people.

In 1844, realising that missionary endeavours were not as successful as he thought they would be, La Trobe decided to try a new approach that circumvented the reliance on the Church missions to Christianise and ‘civilise’ Aboriginal people. In his role as chairman of the Committee of the Society for the Propagation of the Gospel and in conjunction with the Committee of the Church Societies in the District of Port Phillip, La Trobe took

up a suggestion that missionaries and clergymen be provided for both the Aboriginal and European inhabitants on and around the Protectorate stations. La Trobe hoped the provision of religious services would moderate the behaviour of both groups of people and have a positive effect on the interaction between them. To bring public awareness to the issue, he wrote ‘An Appeal on Behalf of the Port Phillip District’ that was published locally in the *Port Phillip Herald* and in the *London Ecclesiastical Gazette* of June 1844.⁵⁰ In the appeal La Trobe estimated that of the ‘interior’ population of Port Phillip around five thousand people, including an Aboriginal population of thirteen hundred, had no access to a religious ministry. This appalling situation, declared La Trobe, resulted in thousands of British citizens living in a state of ‘practical atheism’. Calling on the foundational principals of the Society for the Propagation of the Gospel, which had been established to minister to the plantation workers of North America, La Trobe proposed to raise enough funds to provide an ‘itinerating clergy’ to all of the Protectorate stations. The clergymen appointed would give religious instruction to Aboriginal people on the reserve stations and minister to the needs of the surrounding settlers. In this way, ‘The moral improvement which may be hoped from the ministrations of religion among the British population in the bush, will take away a chief obstacle to the amelioration of the Aborigines, and tend to diminish those causes of collision justly lamented by His Excellency Sir George Gipps’.⁵¹ While the Society believed that the Colonial Government would fund half of these positions, there is no indication that the plan ever went ahead.

By the end of the Protectorate La Trobe’s attitude to Aboriginal protection and ‘civilisation’ had changed considerably. Although he continued to believe in the

Christianising mission, its poor rate of success in the Australian colonies saddened him. No examples of lasting Christian conversion among the Aboriginal people of Port Phillip existed and La Trobe described the Wesleyan Mission at Buntingdale as a total failure. The Protectorate was the product of British idealism and its philanthropic aims impossible to achieve. Assistant Protector Dredge summed up the situation in 1845:

for any useful purposes for the benefit of the Aborigines, has this system, - originated in the most commendable feelings – commenced under the most favourable circumstances – supported by the most extravagant expenditure – and resting upon the strong pillars of Government patronage and influence – proved by its inglorious deeds a curse instead of a blessing – whose records are significantly embodied in its self-sufficiency, imbecility, and failure, and thereby transmitted to posterity.⁵²

When Lord Stanley gave Gipps the freedom to decide the future of the Protectorate in 1842 he had taken care to add that with regard to the Aboriginal population, ‘I shall be willing and anxious to co-operate with you in any arrangement for their civilization which may hold out a fair prospect of success’.⁵³ Gipps did not offer an alternative plan and did not ask La Trobe for one. Not until Gipps had left office was La Trobe’s opinion about the future of the Protectorate sought by the new governor, Sir Charles FitzRoy.

The End of the Protectorate Proposed

In February 1847 Governor FitzRoy wrote to La Trobe asking him whether or not he ‘would recommend a continuance of the system for the protection of the Aborigines under the Chief Protector’ or in what way he ‘would propose that it should be

modified'.⁵⁴ The Colonial Office was critical of Robinson's behaviour and his ineffectiveness in contributing to the aims of the Protectorate. The Chief Protector had been absent from his post for over five months of the past year travelling 'to the Aboriginal Natives of the Interior'. This was not an unusual occurrence for Robinson. Captain Lonsdale, who had acted as superintendent in Port Phillip while La Trobe was in the temporary position of Governor-Lieutenant of Van Diemen's Land at the end of 1846, considered these trips useless and complained to the Colonial Secretary. When La Trobe returned, FitzRoy consulted him about the Chief Protector's actions and the management of his department. FitzRoy also asked La Trobe to make an assessment of the whole system of Aboriginal protection in Port Phillip.

At first La Trobe was cautious. He requested that FitzRoy wait a little longer for an answer so he could visit the remaining Protectorate stations personally, which he had not done for nearly a year.⁵⁵ La Trobe's bias against Robinson was manifest and he mistrusted the Chief Protector's reports complaining again that they contained little information that was of use for making such an important decision. La Trobe was, however, forthcoming on the issue of the Chief Protector's role and agreed with Lonsdale that Robinson's trips were not pertinent to his job. La Trobe finished his letter with a note of scepticism about the Protectorate pre-empting his future conclusions. In May 1847 FitzRoy forwarded La Trobe's comments to the Secretary of State for War and the Colonies, Earl Grey, who was in charge of the Colonial Office in London.⁵⁶

Suggestions from the Colonial Office

Grey's consideration of the issues and advice presented to him by FitzRoy was to shape the future of Aboriginal protection in Australia. He asked FitzRoy to decide whether or not the problems with the position of Chief Protector were inherent within the office or a result of Robinson's failure to undertake his duties properly. Grey gave FitzRoy the power to abolish the office if he thought this necessary, but did not at this stage comment on the Protectorate as a whole, waiting until he had received La Trobe's report. Grey reiterated the rights of Aboriginal people to traverse crown land, including those lands that private individuals leased from the Government. He believed that violence between Aboriginal people and settlers could be reduced if there was 'a distinct understanding of the extent of their mutual rights' and asked FitzRoy to make a public statement to this effect.⁵⁷ Grey also picked up on some of Robinson's comments in his reports regarding the need for more Aboriginal reserves. Drawing on examples in South Australia, he suggested an increase in smaller reserves for the creation of agricultural industry that would sustain Aboriginal people where possible but also for the distribution of rations. Noting that Port Phillip had less than seven reserves maintained by the Assistant Protector, Grey favoured a combination of approaches with additional reserves created in districts where they did not already exist and the establishment of more schools for Aboriginal children and adults.⁵⁸

Grey replied to FitzRoy in February 1848 and for most of the rest of the year, while his despatch was wending its way by ship back to Australia, La Trobe was visiting the remaining Protectorate stations. Governor FitzRoy sent La Trobe a copy of Grey's despatch and asked him to respond to the Secretary of State's suggestions. By the end of the year La Trobe had formulated his response and sent FitzRoy his statement. La Trobe

knew his report was a damning summation of the Protectorate and all humanitarian efforts to assist Aboriginal people in the Port Phillip District for the last ten years. There was little prospect of a happy ending for Aboriginal people once they had come in contact with Europeans, but it was his duty to clarify the situation. With his usual efficiency and straight forward approach, La Trobe summarised the four main institutions established to aid Aboriginal people, which were either Government run or sponsored, listing the Protectorate system, the Buntingdale Mission, the Native Police and the Merri Creek School. He then stated the cost of running these establishments. The Wesleyan Church had incurred costs of ‘nearly six thousand nine hundred pounds’ maintaining their mission on the Barwon, the Aboriginal School a ‘sum of eight hundred pounds and upwards’, the Protectorate ‘no less a sum than forty-two thousand two hundred pounds’ and the Native Police ‘eleven thousand one hundred pounds’. La Trobe estimated the total cost to the government of all these enterprises as ‘sixty-one thousand pounds in thirteen years’.⁵⁹

La Trobe’s Verdict on the Protectorate

For La Trobe the question was whether or not this financial outlay had produced any positive results. His answer was a bitterly disappointing and resounding ‘no’: ‘Every one of these plans and arrangements made for the benefit of the Aboriginal Native, with exception of the last named, the Native Police, perhaps, has either completely failed, or shews at this date most undoubted signs of failure, in the attainment of the main objects aimed at’.⁶⁰ La Trobe declared that the goal of the British and Colonial Governments was firstly to convert Aboriginal people.⁶¹ Given that there was no evidence of complete and

lasting Christian conversion among the Aboriginal population, La Trobe rationalised that any examples of ‘civilisation’ were not a consequence of missionary or other religious endeavours. Measuring the degree to which an individual was ‘civilised’ by their level of ‘conformity to European habits’, La Trobe argued there was no evidence to indicate that Aboriginal people had adopted a new way of life. While some individuals wore European clothes, summated La Trobe, earned wages for their labour, engaged in agricultural pursuits, lived in European type housing and ate European food, the change was predicably temporary.⁶²

La Trobe was a little more positive about improvements to what he described as the Aboriginal ‘moral or physical character and condition’, although he admitted that these aspects of a person were more difficult to assess. He observed that younger generations of Aboriginal people, such as those whom the government had enlisted in the Native Police, were more accepting of change. Over the last ten years, La Trobe observed that the relationship between Europeans and Aboriginal people seemed to improve. He recorded that violence between the two groups had decreased and there was a greater respect for the law among the population generally:

I would also state my belief that at the present day, far better feelings than mere apathy or sense of gain, give a very different colouring to the intercourse between the Native and the European in all parts of the country, than may have been observable formerly. At this date, it is undeniable, that many of the settlers in the country, as well as inhabitants of the towns, evince a sincere desire to ameliorate their condition, and rouse their energies.⁶³

La Trobe concluded, however, that despite this improvement in relationships the Aboriginal population had gained very little. Instead they suffered ‘a great and unquestionable increase of disease, misery, and premature death’. La Trobe believed that in their current state the Aboriginal population was rapidly heading towards extinction.

When La Trobe visited North America in the early 1830s, he had become aware of the misuse of power exhibited by those Europeans employed to help Aboriginal peoples. He attributed the lack of success of most attempts to assist the American Indians at this time to the poor character of the people appointed to look after them. Seventeen years later La Trobe again cited the unsatisfactory character of those employed to protect Aboriginal people as the main reason why there was no improvement in the quality of their lives. In a matter of fact tone, La Trobe dismissed the Protectors as men with ‘pretensions to a task beyond their powers’; men who ‘never at any time drew together, understood each other, or had mutual confidence’. As Chief Protector, Robinson was particularly unsuited to the task the Government expected him to do, it was beyond him, but overall none of the Protectors were any worse than another.⁶⁴ La Trobe recommended that in addition to the abolition of the office of the Chief Protector, the whole system of protection should be abandoned – the sooner the better. Having come to the end of his rigorous and truthful assessment of the state of the British Protectorate ‘experiment’, it remained only for him to recommend some ‘modifications’ to existing arrangements for the protection of the Aboriginal people of Port Phillip.

La Trobe continued to be forthright and did not hold back his opinion at this point. The Government, he wrote, was in error. No ‘scheme’ devised from so far away without a

‘real acquaintance of the Colony’ and based on an assumption that their interference would be welcomed, could ever succeed. A Moravian sensibility and Christian compassion for other peoples characterised La Trobe’s thinking, but bitter experience had driven him to acknowledge that only the harshest of methods would ever achieve the results the British Government was looking for. La Trobe declared that ‘vigorous coercion’, which the government was yet to try, was probably the only course of action that would ensure Aboriginal people abandoned their culture:

Neither entreaty nor example, nor cajolery, not even internal conviction drawn from actual experience of the real kind intentions of the Government and better classes of Europeans towards them, and of the advantage of submission to a new system, will strip the savage of his natural appetites and propensities, or make him a willing participant in the advantages held out to him.

La Trobe was so convinced of the righteousness of Christianity and of his cultural superiority that it was illogical to him that others would not want to share in its advantages. He was frustrated that even in the face of certain death the Aboriginal people of Port Phillip would not submit and believed the only way to make them do so was by force. Like most Europeans at the time, he did not see the strength and courage exhibited by Aboriginal people as they fought to maintain their traditions when everything around them was changing.

In the end La Trobe gave up on the older generation of Aboriginal people who he described as ‘past reclamation’.⁶⁵ These people would soon die out and nothing much could be done, he suggested, apart from giving them protection and aid wherever

possible. For younger men he suggested conscription into military service under circumstances that best suited their abilities arguing that this ‘would, I am convinced, be the only method of introducing a permanent change in their habits of life, and of securing the proper opportunity of inculcating better christian and moral principle’.⁶⁶ Strict military discipline was an approach that he thought had achieved some results in the Native Police, formed in 1843, and he agreed with Gipps that ‘in the civilization of the savages, Military Discipline, or something nearly approaching it, may advantageously be employed’.⁶⁷ La Trobe did not mention Aboriginal women but for their children he thought ‘nothing short of an actual and total separation from their parents, and natural associates, and Education, at a distance from the haunts and beyond the influence of the habits and example of their tribe would hold out a reasonable hope of their ultimate civilisation and Christianisation’.⁶⁸

For an educated and respected man accepted within the Colonial Office by close associates of the Clapham Sect whose Evangelical credentials were above reproach, La Trobe’s response was uncharacteristic - the result of years of frustration and challenging experiences. While he believed strongly that the use of harsher methods was the only way to improve the current situation for Aboriginal people, he acknowledged that the British Government had never condoned this approach before because it was ‘against the spirit of the age’. He did not expect the adoption of his suggestions but stated, ‘I am sure that if anything would retard the decline of the Aboriginal races of this Colony, and give promise of moral and physical improvement, and development, it would be the employment of such coercion’.⁶⁹

Specifically addressing Grey's suggestions, which the Government was more likely to adopt, he advised that the right of the Aboriginal population to traverse Crown Land should be upheld more strongly through a stipulation on Crown Leases. He agreed that the Government should maintain reserves, which served as an important 'Asylum of the Native'.⁷⁰ La Trobe argued that all previous attempts to enlist Aboriginal people in the cultivation of land on these reserves were hopeless and any thought that this may be possible was 'make believe'. Instead he suggested that medical officers be appointed on the reserves, necessary food and clothing distributed, and schools and missionary activities encouraged. He also offered his opinion that officers put in charge of these establishments should report directly to and receive instructions from the Superintendent's office, rather than an intermediary. The local Commissioners of Crown Lands could act as inspectors to monitor activities on the reserves and in their magisterial capacity they could also 'be considered the Protector of the Natives within his District'.⁷¹

Drawing on Grey's proposals, La Trobe presented some less dramatic changes to the current system that he thought possible to enact with relative ease. There were no major objections to this plan but he warned that it would still involve 'a certain amount of useless expenditure'. Without the use of active enforcement, however, La Trobe believed the results of this more passive plan would probably be more of the same and unlikely to make any major impact.⁷²

Dismantling the Protectorate

As a consequence of La Trobe's input, the New South Wales Executive Council did not hesitate to recommend that the Governor abolish the Protectorate system under the powers conferred to him by Grey in his despatch of February 1848.⁷³ The Council directed that Robinson inform his assistants that the Chief Protector's Department would cease on the last day of 1849 and that they would receive compensation of one month's salary for every year of service. The Council was slower to make a decision about future arrangements for the protection of Aboriginal people, however, and requested that La Trobe, along with other relevant authorities, respond more fully to Grey's suggestions.⁷⁴ At around the same time John Foster moved in the Legislative Council that the House appoint a Select Committee to 'inquire into the state of the aboriginal inhabitants of this colony, more especially with regard to the success or failure of the present Protectorate system in Port Phillip'.⁷⁵

Not surprisingly the New South Wales Select Committee also recommended the closure of the Protectorate system but the members of the Committee could offer 'no substitute'. La Trobe's letter of November 1848 had influenced some parts of the Committee's report, which stated that the education of Aboriginal children would not succeed unless authorities removed them from their parents. There was some criticism of Grey's recommendation that the Government create more reserves. The Committee argued that the current reserve system had failed and any further allocation of land would 'not only increase both the difficulty and expense of their management, but would also prove prejudicial to those settlers who would be ousted of portions of their runs'.⁷⁶ The report claimed no wish to undermine the 'philanthropic motives' of the British Government but the latent criticism was clear. Given the thousands of pounds that had already been spent

on a system whose results were questionable, the Committee stated that ‘no hasty steps’ should be taken in the creation of another plan. The Legislative Council published the Committee’s report in September 1849.⁷⁷

La Trobe never expected that the Government would act upon his suggestions of November 1848 and they did not. While his opinion of the Protectorate system ensured its demise, the New South Wales Government, perhaps in a final act of compromise on the issue, deferred once again to the wishes of the Colonial Office in Britain when considering the future of Aboriginal protection. In a despatch of January 1849 Grey put more pressure on Governor FitzRoy for the adoption of his suggestions writing: ‘I trust that you have, on consideration, found no practical difficulty in acting upon them’.⁷⁸ La Trobe, with the support of the New South Wales Government, put most of Grey’s recommendations into practise and in the period after the Protectorate was able to influence the manner of their adoption. He ordered the expansion of the Native Police and an increase in the number of Aboriginal reserves beyond the settled districts.⁷⁹ As La Trobe suggested, the Government decided to appoint medical officers to manage the reserves and Crown Commissioners to act as inspectors. Contrary to Grey’s recommendations, the Government decided not to employ trustees to manage the reserves or to establish more schools for Aboriginal children. The experiment at Merri Creek had proved too unsatisfactory to warrant the expense. Food and clothing would only to be distributed to Aboriginal people on the reserves when they had ‘earned’ it by ‘some moral or physical exertion’, except in an emergency.⁸⁰

By the end of 1849 the Protectorate districts were the same but only two Assistant Protectors, Parker and Thomas, remained employed despite the Government's closure of Thomas' Narre Warren Station years before. Medical officers James Horsburgh and John Watton ran the Goulburn and Mount Rouse stations.⁸¹ At the beginning of 1850 La Trobe made provisions for the winding up of the Chief Protector's Department. Robinson's position ceased to exist and discussions began about the level of compensation the Government owed him. James Horsburgh continued in his role as medical officer at the Goulburn Station and La Trobe arranged for the formal delineation of the site. On the other hand, the Superintendent believed that Mount Rouse was not a popular place for Aboriginal people and he proposed to break the reserve up into squatting runs. La Trobe hoped the Commissioner of the Portland Bay District could nominate a better site. The Mt Macedon (Loddon) Station, Larnebarramul, was the most developed reserve at the end of the Protectorate period. Assistant Protector Parker had established a school at the station and also employed an overseer, a blacksmith and a labourer. La Trobe was generally impressed with Parker's efforts and wanted to continue the designation of the site for Aboriginal people. While Parker could not carry on his work as a protector, La Trobe intended to allow him to act in a supervisory capacity on the reserve.

In the Western Port Protectorate district Assistant Protector Thomas had, for many years, acted as a general supervisor of Aboriginal people, rather than the head of a fixed station, and La Trobe kept him on in this capacity once the department had closed. The Assistant Protector became a 'guardian' of the Aboriginal community in and around Melbourne. La Trobe wanted Aboriginal people in the settled areas of Port Phillip to be 'subject to a

certain degree of friendly control and continual supervision'. Thomas was the obvious choice to undertake these duties toward Aboriginal people and to

Look to their wants, report upon their condition and whereabouts, and interpose, as far as it extends, more particularly to keep them altogether out of the Town and immediate neighbourhood where they have so many temptations to vice, and prevent their encroachment upon the enclosed and cultivated lands acting on all respects as their official guardian.⁸²

This was a separate task to the other provisions made for Aboriginal people in the immediate post-Protectorate period. From this time on Thomas was officially referred to as 'Guardian of Aborigines for the Counties of Bourke and Mornington'.⁸³

The Protectorate period was now over and La Trobe had played a vital role in the decision to end it. The Superintendent made a balanced assessment of the British Government's 'experiment', weighing up the expense laid out against the results achieved. Despite his sympathy with the British aims for the Protectorate, he had found the whole system inappropriate in an Australian context. His own conclusions about how to 'civilise' Aboriginal people were drastic and did not appeal to the British Government or Colonial authorities. Instead the Colonial Office chose a less forceful approach that did little except push Aboriginal people further towards the fringes of European society. The New South Wales Government decided not to assert its independence over this issue and adopted most of Grey's suggestions with some minor adjustments instigated by La Trobe. Forcing Aboriginal people to adopt a European way of life, as La Trobe proposed, was left for a later government to employ. As for La Trobe, he could offer no other

approach. While he supported the principles of the Protectorate system, he believed the appointment of inappropriate staff and the total lack of understanding of Aboriginal people in the Port Phillip District undermined its success. With complete control over the system La Trobe may have found an alternative method for achieving the goals of the British Government. As a man chosen as superintendent because his world view was so much in keeping with the philosophy of the Evangelicals who created the British protection policy, he could conceive no other course of action.

CONCLUSION

There are some important issues that arise from a review of the Protectorate and the way the Colonial Government handled the dispossession of Aboriginal people and the acquisition of their land in the Port Phillip District. During La Trobe's superintendency more Aboriginal people died in Port Phillip than at any other time in history. La Trobe's struggle 'to protect and civilise' the Aboriginal population reveals many of the difficulties that ultimately led to such a disastrous outcome for Aboriginal people as a result of the European settlement of Australia. While the Colonial Office and the British Government repeatedly made statements about their desire to protect Aboriginal inhabitants in the lands they were colonizing, the unsuccessful fulfilment of their good intentions did not stand in the way of colonization itself. British authorities may have promulgated and fervently believed in the Christian rhetoric they espoused, which declaimed the need for compassion and paternalism towards their fellow man, but other pragmatic economic and administrative demands weakened their idealism. The mismatch between the British Government's understanding of Aboriginal people in Port Phillip and the actual situation in the District, which was changeable and volatile, resulted in poor decision making from the outset. The inability of the Colonial Office to delegate full responsibility for the Protectorate to local authorities meant La Trobe found it difficult to enact the reforming measures he thought necessary. Added to this the length of time it took for correspondence to be sent to London and a reply to be received in Australia and vice versa made effective and reactive communication impossible. The lack of financial resources for the Chief Protector's Department was a constant problem and in the end the impression is of an unwieldy and ineffective bureaucracy that failed Aboriginal people at

a crucial moment – a moment during which La Trobe held a significant, if ineffective, role.

There were many things about the daily working of the Chief Protector's Department that La Trobe was powerless to change. He did not set up the Protectorate system or provide any input into its establishment and he was not in charge of the provision of financial support. La Trobe was subordinate to the Governor of New South Wales and, for the first few years at least, had little leeway in terms of the changes he could make. This remained the situation until Governor FitzRoy replaced Gipps in 1846 and the Colonial Office started to relinquish management of the Protectorate experiment to local authorities in a more meaningful way. By this stage, however, the British Government only wanted La Trobe to arbitrate of the future of the Protectorate – should it continue or be disbanded – he was not encouraged to assess it with the view of revising or reshaping the system to better fulfil its purpose.

Despite the limitations on his autonomy within the colonial administrative structure, La Trobe did try to make some improvements. In 1846, for example, he was clear and unequivocal in his reporting of the ineffectiveness of the legal system when prosecuting cases involving Aboriginal people. He could have been more outspoken about the shortcomings of the Protectorate system during Gipps' administration but La Trobe understood that his management was supervisory in nature. Perhaps if the Colonial Office had given him more discretion and let him appoint the Protectorate staff things may have ran more smoothly but this is mere speculation. La Trobe did not show any particularly outstanding degree of initiative when it came to the treatment of Aboriginal

people during his time as Superintendent of Port Phillip, even though he lobbied for greater legal equity for Aboriginal people and for more resources for missionary activities. The main reason for this was that he supported the basic idea of the Evangelical Protectorate plan and had no other course of action in mind. Instead his assessment and report on the Protectorate, which was the basis of his recommendation to close the Chief Protectors' Department, suggested greater enforcement of the Protectorate principles. La Trobe concluded that Aboriginal people would only be converted and 'civilised' if the Government focused its attention on the young and undertook more radical separation of Aboriginal children from all outside influences. The Government, argued La Trobe, would also need to separate able-bodied Aboriginal men from their community and commit them to compulsory military service. La Trobe, however, never believed the British or the Colonial Government would implement these methods as they were too severe. As far as La Trobe was concerned, he had given an honest opinion about the lengths required to 'civilise' Aboriginal people but I don't think he ever thought they were appropriate or moral methods to follow.

Contrary to all good intentions, the Protectorate shared the same outcome as the campaign that had inspired it. The British Abolition Act of 1833 had seemed a positive and hard won victory for Aboriginal peoples but in the aftermath of its passing many racial abuses persisted. The British attempt to improve conditions for Aboriginal people in Australia through the Protectorate system was similarly fated. While the Select Committee report was humanitarian and sympathetic, in practise its idealistic aspirations did not live up to the reality. When measured by its own aims to protect and civilise Aboriginal people, the Protectorate clearly did neither. While in the case of the anti-

slavery bill, it could be argued, the traffic in African slaves did eventually end, it is hard to find the positive outcomes of the Protectorate system when proportionately so many people died during the period in which it was enacted.

Although driven by the Christian precept that all men were of one blood and shared a common humanity, La Trobe viewed Aboriginal people not as equals but as lesser human beings because they were, in his view, Godless. La Trobe took on the duty of encouraging and supporting the conversion of Aboriginal people not just for their sake but also as a test of his own faith. The response of La Trobe and other members of the British Evangelical movement to the rapid decline in the Aboriginal population was to make them into an image of themselves. By the end of the 1840s, however, La Trobe had to admit that missionary activities, along with the Protectorate system, in Port Phillip were a failure. The sympathetic attempts by Buxton and the Colonial Office to improve the situation in the Australian colonies for Aboriginal people were seriously lacking in any actual understanding of life for Aboriginal people and hundreds of people, perhaps thousands, were dead as a result. By the end of his superintendency La Trobe was ‘a careworn, fatigued and defeated man’.¹ The difficulties he confronted while overseeing the Protectorate system and the resistance of Aboriginal people to Christian conversion contributed greatly to his feelings of disappointment.

The Protectorate experiment was just one stage of the colonising process but it had a huge impact of the development of future government policy. In the wake of the Protectorate period, the fate of Aboriginal people in Port Phillip during the 1850s seemed less important to the Colonial Government as the separation of Port Phillip from the

Colony of New South Wales and issues arising from the discovery of gold dominated politics. The new Government of Victoria acted on Grey's plan to increase reserves in districts beyond the settled areas, which eventually led to the creation of the Aboriginal Board of Protection in 1860 to manage them. The Colonial Government compelled Aboriginal people onto reserves and missions during the 1850s and 1860s establishing 'a system of virtual apartheid'.² Never again would the Aboriginal and European population share the land as they had for a short time during the Protectorate period, albeit unequally. Disease and conflict had drastically reduced the Aboriginal population, and although the Colonial Government had not forced them into the adoption of European culture in the way La Trobe had suggested, they were a suppressed and forgotten people.

The British Government and sympathetic observers, like La Trobe and the Protectors, openly acknowledged and condemned the violence of settlement. As Henry Reynolds has pointed out, 'the conviction that colonisation need not be so brutal, so lacking in compassion, so drenched in blood' united Evangelicals and other humanitarians.³ The emphatic nature of the British Government's statements about Aboriginal rights during the 1830s gave official recognition of their status as the original inhabitants of Australia. This must, however, be measured against the significant loss of Aboriginal lives and culture, and ultimately, the desire of the British to colonise regardless of the cost to Aboriginal lives. As Ann Curthoys points out:

It is important not to forget that it was the British imperial government which decided to colonise and, even in the face of evidence of massive human destruction, to keep colonising, and such a judgment applies also to the British evangelical humanitarians in the 1837 Aborigines Report and after.⁴

In hindsight, the Christianising and ‘civilising’ intentions of the Protectorate are challenging but clearly events may have turned out quite differently without it. There were many settlers at the time who viewed Aboriginal people as animals rather than people. Such individuals lacked any kind of feeling for the plight of the people who lived in Port Phillip before them and were unperturbed by the eradication of Aboriginal culture and society. At least the advent of the Protectorate experiment and the advocacy of the Colonial Office in support of the system instigated some discussion and questioning at the time, and since, about the effects of colonisation. The extraordinary volume of material produced by the Chief Protector’s Department, and by Robinson in particular, has also contributed enormously to our knowledge of settler and Aboriginal relationships during the colonial period.

Not all Aboriginal people passively accepted the Government’s attempts to control every aspect of their life and push them to the margins of society. From the mission and reserve period emerged an active and vocal Aboriginal community with the strength to carry on and preserve their culture into the twenty first century. Going back to examine the administrative history of Aboriginal affairs in Port Phillip gives us a glimpse of the difficulties faced on a daily basis in an emerging colony. Clearly some of the challenges evident from the earliest years of settlement, which undermined attempts to safeguard Aboriginal rights and their acknowledgement as the first inhabitants of this country, continue today. A fundamental gulf of misunderstanding existed in the colonial period between settlers and Aboriginal people as it does now. Furthering our understanding of this period, with all its contradictions, will enable us to move toward a more inclusive

and representative depiction of Australian history and society. In so doing we may finally be able to transcend the disillusionment and frustration experienced by La Trobe as a result of the profound inability of one group of people to empathize with and understand another.

APPENDIX A

Positions in the British Colonial Office

Secretaries of State for War and the Colonies

- Edward Geoffrey Smith-Stanley, Lord Stanley (April 3, 1833 - June 5, 1834)
- Thomas Spring Rice (June 5, 1834 - November 14, 1834)
- The Duke of Wellington served as a Secretary of State pro tem (November 15, 1834 - December 15, 1834)
- George Hamilton-Gordon, 4th Earl of Aberdeen (December 20, 1834 - April 8, 1835)
- Charles Grant, 1st Baron Glenelg (April 18, 1835 - February 20, 1839)
- Constantine Henry Phipps, 1st Marquess of Normanby (February 20, 1839 - August 30, 1839)
- Lord John Russell (August 30, 1839 - August 30, 1841)
- Edward Geoffrey Smith-Stanley, Lord Stanley (September 3, 1841 - December 23, 1845)
- William Ewart Gladstone (December 23, 1845 - June 27, 1846)
- Henry Grey, 3rd Earl Grey (July 6, 1846 - February 21, 1852)

Under-Secretaries for War and the Colonies

- Henry George Grey, 3rd Earl Grey (November 1830 - April 1833)

- Sir John George Shaw-Lefevre (April 1833 - July 1834)
- Sir George Grey, Second Baronet (July 1834 – November 1834)
- John Stuart Wortley, Baron Wharncliffe (November 1834 - January 1835)
- William Ewart Gladstone (January 1835 – April 1835)
- Sir George Grey, Second Baronet (April 1835 - February 1839)
- Henry Labouchere, Baron Taunton (February 1839 – August 1839)
- Robert Vernon Smith, Baron Lyveden (September 1839 – September 1841)
- George William Hope (September 1841- January 1846)
- George William Lyttelton, Baron Lyttelton and Westcote (January 1846 – July 1846)
- Sir Benjamin Hawes (July 1846 – November 1851)

Permanent Under-Secretaries

- R.W. Hay (July 1825 – February 1836)
- James Stephen (February 1836- May 1848)
- H. Merivale (May 1848 – May 1860)

APPENDIX B

Membership of the House of Commons Select Committee on Aborigines (British Settlements)

Thomas Fowell Buxton (1786-1845), MP for Weymouth and Melcombe 1832-1837.

John Hardy (1773 -1855), MP for Bradford 1832-1837 and from 1841-1847. Replaced by Gladstone before evidence heard.

William Ewart Gladstone (1809-1898), MP for Newark-on-Trent 1832-1845, MP for Oxford University 1847-1865, MP for South Lancashire 1865-1868, MP for Greenwich 1868-1880, MP for Edinburghshire 1880-1895, MP for Leith 1886.

Benjamin Hawes (1797-1862), MP for Lambeth from 1832-1847, MP for Kinsale 1848-1851.

John Bagshaw (1784-1861), MP for Sudbury 1835-1837, MP for Harwich 1847-1852, 1853-1859.

Rufane Shaw Donkin (1773-1841), MP for Berwick-upon-Tweed 1832-1837, MP for Sandwich 1839-1841.

Edward Holland (1806-1875), MP for East Worcestershire 1835-1837 and the Borough of Evesham 1855-1868.

Charles Lushington (1785-1866), MP for Ashburton 1835-1841, MP for Westminster 1847-1852.

George Grey (1799-1882), MP for Devonport 1832-1847, MP for North Northumberland 1847-1852, MP for Morpeth 1853-1874.

Joseph Pease (1799-1872), MP for South Durham 1832-1841.

Edward Baines (1774-1848), MP for Leeds 1834-1841.

Andrew Johnston (1798-1862), MP for Anstruther 1831-1832, MP for St Andrews 1832-1837.

Charles Hindley (1796-1857), MP for Ashton-under-Lyne 1835-1857.

John Pemberton Plumptre (1791-1864), MP for East Kent 1832-1852.

Henry Wilson (1797-1866), MP for West Suffolk 1835-1837.

Thomas Perronet Thompson (1783-1869), MP for Kingston upon Hull 1835-1837, MP for Bradford 1847-1852, 1857-1859.

APPENDIX C

Copy of a Circular Letter from T. Spring Rice, Secretary of State for War and the Colonies, to the Governors of His Majesty's Colonial Possessions.

Colonial Office, London, 19 July

1834

Sir,

The House of Commons have presented an humble Address to His Majesty, praying “that His Majesty will take such measures and give such directions to the Governors and Officers of His Majesty's Colonies, Settlements and Plantations, as shall secure to the Natives the due observance of justice and the protection of their rights, promote the spread of civilisation among them, and lead them to the peaceful and voluntary reception of the Christian Religion.”

And His Majesty having been graciously pleased to accede to this Address, I feel that I cannot take more effectual means for realising the wishes expressed by the House of Commons, and sincerely entertained by His Majesty, than by directing your attention to the principles contained in the Address adverted to.

I am quite aware that these principles are not now laid down for the first time, but that they will be found to have governed the conduct of my predecessors in this office, and to

have been embodied in such instructions as have been issued by this Department for the improvement of the condition of the aboriginal inhabitants of His Majesty's Colonies, in civilization generally.

Entertaining the fullest confidence that, in relation to the Territories of which the Government has been entrusted by His Majesty to you, the most earnest and anxious attention will be given to the subject, I am commanded by His Majesty to assure you, that your efforts in the discharge of this important and interesting duty shall be seconded by the utmost support which you can claim from His Majesty.

I am, &c.

T. Spring Rice.

Great Britain, Parliament, House of Commons, *Circular Letter to the Governors of His Majesty's Colonial Possessions*, paper no. 49, House of Commons, London, 1835, p. 1.

APPENDIX D

Extract of a Despatch from Lord Glenelg to Governor Sir R. Bourke, 26 July 1837

It is happily superfluous for me to impress upon you the general principles to be observed in your conduct towards the aborigines.

I shall soon be enabled to transmit to you the Report of the Committee of the House of Commons on this subject, made before the close of the present Session; and I have reason to believe that you will there find the result of much diligent inquiry and reflection. For the present, therefore, I confine myself to remarks, which may perhaps appear to proceed on a less comprehensive view of the subject, than under other circumstances I should have thought it right at least to attempt.

You commission as Governor of New South Wales asserts Her Majesty's sovereignty over every part of the continent of New Holland which is not embraced in the colonies of Western or Southern Australia. Hence I conceive it follows that all the natives inhabiting those territories must be considered as subjects of the Queen, and as within Her Majesty's allegiance. To regard them as aliens, with whom a war can exist, and against whom Her Majesty's troops may exercise belligerent rights, is to deny that protection to which they derive the highest possible claim from the sovereignty which has been assumed over the whole of their ancient possessions.

I am well aware that in extreme exigencies, public officers are not to be governed altogether by ordinary rules: at the same time, it appears to me necessary that those rules should be steadily borne in mind in estimating the apology made for an occasional departure from them.

If the rights of the aborigines as British subjects be fully acknowledged, it will follow that when any of them comes to his death by the hands of the Queen's officers, or of persons acting under their command, an inquest should be held, to ascertain the causes which led to the death of the deceased. Such a proceeding is important, not only as a direct protection to society at large against lawless outrage, but as it impresses on the public a just estimate of the value of human life.

Great Britain, Parliament, House of Commons, Copies or Extracts of Despatches Relative to the Massacre of Various Aborigines of Australia, in the Year 1838, and Respecting the Trial of their Murderers, paper no. 526, House of Commons, London, 1839, p. 3.

APPENDIX E

Lord Glenelg's Instructions to Sir George Gipps, 31 January 1838

Sir,

In transmitting to you a duplicate copy of the last Report of the Select Committee of the House of Commons on Aborigines, I have the honour to communicate to you, that Her Majesty's Government have directed their anxious attention to the adoption of some plan for the better protection and civilization of the native tribes within the limits of your government.

With that view, it has been resolved to appoint at once a small number of persons qualified to fill the office of protectors of aborigines. I have confined that number, in the first instance, to one chief protector, aided by four assistant protectors. I would propose that the chief protector should fix his principal station at Port Phillip, as the most convenient point from whence he could traverse the surrounding country, and be in personal communication with his assistants; two of whom should occupy the country to the northward and eastward, and the other two be stationed to the northward, and as far westward as the boundaries of the colony of South Australia.

I propose to confer the office of chief protector on Mr. Robinson, who, you are no doubt aware, has for some time past been in charge of the aboriginal establishment at Flinders' Island, and who has shown himself to be eminently qualified for such an office. I shall direct the Lieutenant-governor of Van Diemen's Land to communicate my intentions to Mr. Robinson, and to take the necessary measures for sending him to Sydney, if he

should be prepared to undertake the office. It appears to be a question whether Mr. Robinson would be willing to quit the establishment at Flinders' Island, unless he were accompanied by the natives from Van Diemen's Land in whose superintendence he is at present engaged. I enclose, for your general information, a copy of a despatch from Lieutenant-governor Sir J. Franklin, with a report from Mr. Robinson, on the state of the native settlement in that island. It contains much interesting information as to the condition of the natives under his charge, and also as to his mode of treating them. You will perceive that in this report he strongly recommends the removal of these natives to New Holland. The late Lieutenant-governor of Van Diemen's Land has expressed his conviction that no evil consequences are to be apprehended from allowing them to accompany Mr. Robinson. In the despatch which is now enclosed, Sir John Franklin states that many objections present themselves to such a measure; and I should not feel myself justified in directing the adoption of it, in opposition to such a statement. If, however, the result of the personal observations of Sir John Franklin, in the visit which he stated himself to be about to make to Flinders' Island, should be such as entirely to satisfy him that the natives might be so removed, without personal risk or danger to themselves, and with their own free consent, important advantages might be anticipated from the formation in New Holland of an aboriginal settlement comparatively so far advanced in civilization. On this point, however, I should wish you to communicate with Sir John Franklin, and it will be necessary to act in it with the utmost caution and circumspection. In the meantime, I trust that Mr. Robinson may, under any circumstances, be induced to undertake the office. The gentlemen whose names are stated in the margin [Mr. Sievwright, Mr. Thomas, Mr. Dredge and Mr. Parker] have been chosen to fill the office of assistant protectors.

With regard to the expenses attending the establishment, it is proposed to assign to the chief protector a salary of 500*l.* per annum, and to each of the assistants 250*l.*

The four officers proceeding from this country will also have an allowance of 100*l.* each, on account of their outfit and passage; and according to the general rule of this department, they have been informed that they will receive half salary from the date of embarkation.

It will be necessary to make some provision to enable the protectors to supply the natives occasionally with moderate quantities of food and clothing.

In fixing this expenditure, Her Majesty's Government have anticipated the concurrence of the legislative council of your government, in voting the necessary sum for meeting the charge. The object contemplated is so important, and the obligation which rests on the colonists to do their utmost for the protection and civilization of the native tribes so imperative, that I am convinced no further argument is necessary to induce a cheerful co-operation on their part in the measure now adopted. If the aboriginal establishment at Flinders' Island should be broken up, and transferred to New South Wales, some portion of the expenditure might reasonably be defrayed from the revenues of Van Diemen's Land.

It remains for me to explain my general view of the duties which will devolve on the protectors, and to refer to the points which will form the ground of instructions which you will issue to them.

1. Each protector should attach himself as closely and constantly as possible to the aboriginal tribes who may be found in the district for which he may be appointed; attending them if practicable in their movements from one place to another, until they can be induced to assume more settled habits of life, and endeavour to conciliate their respect and confidence, and to make them feel that he is their friend.
2. He must watch over the rights and interests of the natives, protect them, as far as he can by his personal exertions and influence, from any encroachments on their property, and from acts of cruelty, oppression or injustice, and faithfully represent their wants, wishes, or grievances, if such representations be found necessary, through the chief protector, to the government of the colony. For this purpose it will be desirable to invest each protector with a commission as magistrate.
3. If the natives can be induced in any considerable numbers to locate themselves in a particular place, it will be the object of the protector to teach and encourage them to engage in the cultivation of their grounds, in building suitable habitations for themselves, and in whatever else may conduce to their civilization and social improvement.
4. The education and instruction of the children, as early and as extensively as it may be practicable, is to be regarded as a matter of primary importance.

5. In connexion with the engagements, and as affording the most efficient means for the ultimate accomplishment of them, the assistant protector should promote, to the utmost extent of his ability and opportunities, the moral and religious improvement of the natives, by instructing them in the elements of the Christian religion, and preparing them for the reception of teachers, whose peculiar province it would be to promote the knowledge and practice of Christianity among them.
6. In reference to every object contemplated by the proposed appointment, it is exceedingly desirable that the protector should, as soon as possible, learn the language of the natives, so as to be able freely and familiarly to converse with them.
7. He must take charge of, and be accountable for, any provisions or clothing which may be placed under his care for distribution to the natives,
8. He will obtain as accurate information as may be practicable of the number of the natives within his district, and of all important particulars in regard to them.

These appear to me the principal points which demand attention in reference to this subject.

But it is of course not my intention to restrict you, in the instructions which you will have to issue to the protectors, within the topics on which I have touched, as your local knowledge and experience will doubtless enable you to supply omissions in the outline which I have given.

I have, &c.

(signed) *Glenelg*.

Great Britain, Parliament, House of Commons, Copies or Extracts of Despatches
Relative to the Massacre of Various Aborigines of Australia, in the Year 1838, and
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NOTES

INTRODUCTION

- ¹ Pembroke, *Arthur Phillip: Sailor, Mercenary, Governor, Spy*, p.170.
- ² Blake, ed. *Letters of Charles Joseph LaTrobe*, p.2; Shaw, ed., *Gipps-La Trobe Correspondence*, p.13 n.2.
- ³ Blake, ed. *Letters of Charles Joseph LaTrobe*, p.11.
- ⁴ Reilly Drury, *La Trobe*, p.134.
- ⁵ Shaw, *A History of the Port Phillip District*, p.58.
- ⁶ Peel, *Rural Industry in the Port Phillip Region*, p.16.
- ⁷ Ibid.
- ⁸ Boyce, *1835: The Founding of Melbourne & the Conquest of Australia*, pp.87-89.
- ⁹ Shaw, *A History of the Port Phillip District*, p.78,
- ¹⁰ La Trobe was also the patron of the first Auxiliary Bible Society in Melbourne.
- ¹¹ I am not particularly comfortable with the term ‘race’ but in lieu of another more appropriate word I have occasionally used this terminology as it is contemporaneous to the period. I do not, however, mean to imply that I adhere to any notion of racial classification or stereotyping, merely that this was one of the ways that La Trobe and others described different groups of people at the time.
- ¹² Shaw, *A History of the Port Phillip District*, p.140.
- ¹³ Broome, *Aboriginal Victorians*, pp.90-91.
- ¹⁴ Ibid, p.90.
- ¹⁵ Cannon, *Black Land, White Land*, p. 263; Boyce, *1835: The Founding of Melbourne & the Conquest of Australia*, p.191
- ¹⁶ For more information about La Trobe and the law see Thiele, ‘Superintendent La Trobe and the Amenability of Aboriginal People to British Law 1839-1846’.
- ¹⁷ Reilly Drury, *La Trobe*, p. 138; Shaw, ed., *Gipps-La Trobe Correspondence*, p. xvi.
- ¹⁸ Shaw, ed., *Gipps-La Trobe Correspondence*, p.4.
- ¹⁹ Reilly Drury, *La Trobe*, p.3.

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- ¹ADNB, s.v. ‘La Trobe, Charles Joseph (1801-1875)’ by Jill Eastwood; National Archives, *The Official Non-conformist and Non-parochial BDM Service*, RG4/4392: *Register of Births, Baptisms and Burials at the Fetter Lane Moravian Chapel in the Parish of Chelsea, London from 1778 to 1838*, <http://www.bmdregisters.co.uk/> Accessed 5 April 2014.
- ² Elton, ed., *Renaissance and Reformation*, p. 7; Jackson, ed., *The New Schaff-Herzog Encyclopedia*, vol. 5, pp. 415-420.
- ³ Jackson, ed., *The New Schaff-Herzog Encyclopedia*, vol. 12, p.92.
- ⁴ Ankarsjö, *William Blake and Religion: A New Critical View*, p.36.
- ⁵ Jackson, ed., *The New Schaff-Herzog Encyclopedia*, vol. 12, p.92.
- ⁶ Weinreb and Hibbert, *The London Encyclopaedia*, pp.379-380.
- ⁷ Charles Booth, *Descriptive Map of London Poverty*, 1889.
- ⁸ Godfrey, *Survey of London*, vol. IV Chelsea, Part II, p.24.
- ⁹ Ibid, p.40.

- ¹⁰ Benjamin La Trobe rests in the 6th row of the South-west corner of the burial yard. Godfrey, ed., *Survey of London*, vol. XI Chelsea, Part IV, p.98.
- ¹¹ Reilly Drury, *La Trobe*, pp.24-27.
- ¹² Ibid, p.27.
- ¹³ Sykes, *The Rise and Fall of British Liberalism*, p.1.
- ¹⁴ Anderson, *Europe in the Eighteenth Century*, pp.252-257.
- ¹⁵ Thomson, *Europe Since Napoleon*, pp.28-31.
- ¹⁶ Ibid, pp.31, 37.
- ¹⁷ Sykes, *The Rise and Fall*, p.2.
- ¹⁸ Thomson, *Europe Since Napoleon*, p.31.
- ¹⁹ Halevy, *England in 1815*, p.123.
- ²⁰ Woodward, *The Age of Reform 1815-1870*, p.26.
- ²¹ Ibid.
- ²² Ibid, p.27.
- ²³ Parry, *The Rise and Fall of Liberal Government*, p.2.
- ²⁴ Ashton, *The Industrial Revolution*, pp.3, 24-26.
- ²⁵ Gash, *Aristocracy and People*, pp.76-79.
- ²⁶ Ibid, pp.93-95.
- ²⁷ Woodward, *The Age of Reform 1815-1870*, p.77; Parry, *The Rise and Fall of Liberal Government*, p.58.
- ²⁸ Woodward, *The Age of Reform 1815-1870*, p.78.
- ²⁹ Gash, *Aristocracy and People*, p.151.
- ³⁰ Gash, *Reaction and Reconstruction*, pp.30-31.
- ³¹ Gash, *Aristocracy and People*, p.63; Halevy, *England in 1815*, p.284.
- ³² Thomson, *England in the Nineteenth Century*, p.107.
- ³³ Walls, 'The Legacy of Thomas Fowell Buxton', pp.74-78.
- ³⁴ Wilberforce, *A Practical View*, pp. 446-447.
- ³⁵ Ibid.
- ³⁶ Gash, *Aristocracy and People*, p.67.
- ³⁷ Porter, 'Religion, Missionary Enthusiasm, and Empire', p.222.
- ³⁸ Halevy, *England in 1815*, p.446.
- ³⁹ Porter, 'Religion, Missionary Enthusiasm, and Empire', p.228.
- ⁴⁰ Halevy, *England in 1815*, p.447.
- ⁴¹ Browne, *The History of the British and Foreign Bible Society*, p.383.
- ⁴² Ibid, p.427.
- ⁴³ Porter, 'Religion, Missionary Enthusiasm, and Empire', p.232.
- ⁴⁴ Great Britain, *House of Commons, Report from the Select Committee on Aborigines*, paper no. 425, p.76.
- ⁴⁵ Reilly Drury, *La Trobe*, p.135.

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- ¹ Temperley, *British Antislavery*, p.1.
- ² Ibid, pp.1-2.
- ³ Meeting for Sufferings, *The Case of Our Fellow-Creatures*.
- ⁴ Porter, 'Trusteeship, Anti-Slavery, and Humanitarianism', p.202.

- ⁵ Temperley, *British Antislavery*, p.3.
- ⁶ ODNB, s.v. 'Clapham Sect (abt. 1792-1815)'.
- ⁷ Halevy, *England in 1815*, p.436.
- ⁸ Anderson, *Europe in the Eighteenth Century*, p.269.
- ⁹ Stephen, *The Slavery of the British West India*, pp.236-237.
- ¹⁰ Great Britain, House of Commons, *Papers Relating to the West Indies*, p.34.
- ¹¹ Hutton, *A History of Moravian Missions*, pp.196-197.
- ¹² Ibid, p.54.
- ¹³ Wilberforce and Wilberforce, *The Life of William Wilberforce*, p.63.
- ¹⁴ Ramsay was the author of a number of anti-slavery pamphlets including: Ramsay, An Essay on the Treatment and Conversion of African Slaves in the British Sugar Colonies and Ramsay, An Inquiry into the Effects of Putting a Stop to the African Slave Trade, and of Granting Liberty to the Slaves in the British Sugar Colonies.
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- ¹⁷ Hutton, *A History of the Moravian Missions*, p.195.
- ¹⁸ Mason, 'Benjamin and Christian Ignatius La Trobe in the Moravian Church', p.23.
- ¹⁹ Reilly Drury, *La Trobe*, p.27.
- ²⁰ Ibid, p.18.
- ²¹ Ibid, p.19.
- ²² La Trobe, *Letters to My Children*.
- ²³ Reilly Drury, *La Trobe*, p.121.
- ²⁴ Slave Trade Act 1807 (47 Geo III Sess. 1 c. 36); Temperley, *British Antislavery*, p.6.
- ²⁵ Temperley, *British Antislavery*, p.7.
- ²⁶ Walvin, 'The Rise of British Popular Sentiment for Abolition', p.154.
- ²⁷ Woodward, *The Age of Reform 1815-1870*, p.370.
- ²⁸ Wilberforce, *An Appeal to the Religion, Justice, and Humanity*, p.1.
- ²⁹ Woodward, *The Age of Reform 1815-1870*, p.371.
- ³⁰ ODNB, s.v. 'Buxton, Sir Thomas Fowell'.
- ³¹ Buxton, ed., *Memoirs of Sir Thomas Fowell Buxton*, p.110.
- ³² Temperley, *British Antislavery*, pp.11-12.
- ³³ Ibid, pp.12-13.
- ³⁴ Davis, 'Reflections on Abolitionism and Ideological Hegemony', p.799.
- ³⁵ Walvin, 'The Rise of British Popular Sentiment for Abolition', p.155.
- ³⁶ Temperley, *British Antislavery*, pp.17-18.
- ³⁷ Buxton, ed., *Memoirs of Sir Thomas Fowell Buxton*, p.110; Wilberforce, *A Practical View*, p.446.
- ³⁸ Buxton, ed., *Memoirs of Sir Thomas Fowell Buxton*, pp.306-307.

CONFRONTING ABORIGINAL PEOPLES

- ¹ La Trobe, *The Alpenstock*; Reilly Drury, *La Trobe*, p.39.
- ² La Trobe, *The Pedestrian*.

- ³ Reilly Drury, *La Trobe*, p.63.
- ⁴ Ibid, p.75.
- ⁵ Williams and Simison, 'A Journey Through Oklahoma', p.388.
- ⁶ Reynolds, 'The Winning of the West', p.90.
- ⁷ As quoted in Reynolds, Ibid.
- ⁸ La Trobe, *The Rambler*, vol. 1, pp.126-127.
- ⁹ Ibid, pp.127-128.
- ¹⁰ Ibid, p.131.
- ¹¹ Ibid, pp.131-132.
- ¹² Ibid, vol. 2, p.212.
- ¹³ Ibid, vol. 1, pp.133-134.
- ¹⁴ Ibid, p.135.
- ¹⁵ Reynolds, *Nowhere People*, pp.16-17.
- ¹⁶ Haller, 'The Species Problem', p.1320.
- ¹⁷ As quoted by Jackson and Weidman, *Race, Racism, and Science*, p.35.
- ¹⁸ McGregor, *Imagined Destinies*, p.9.
- ¹⁹ Society of Friends, Aborigines Committee, *An Address of Christian Counsel*, p.1.
- ²⁰ Ibid, p.2.
- ²¹ Wilberforce, *A Practical View* (1797), pp.2-3.
- ²² Buxton, ed., *Memoirs of Sir Thomas Fowell Buxton*, p. 307.
- ²³ Haller, 'The Species Problem', p.1321.
- ²⁴ Ibid.
- ²⁵ McGregor, *Imagined Destinies*, p.9.
- ²⁶ Society of Friends, Aborigines Committee, *Information Respecting the Aborigines*, p.iv.
- ²⁷ La Trobe, *The Rambler*, vol. 2, pp. 214-215.
- ²⁸ *The Times*, 20 March, 1834, p.2.
- ²⁹ Porter, 'Trusteeship, Anti-Slavery, and Humanitarianism', p.201.
- ³⁰ Buxton, ed., *Memoirs of Sir Thomas Fowell Buxton*, p.307.
- ³¹ Hansard, *Hansard's Parliamentary Debates*, 1834, vol. 24, p.1061.
- ³² Ibid, p.1062.
- ³³ Buxton, ed., *Memoirs of Sir Thomas Fowell Buxton*, p.309.
- ³⁴ Great Britain, House of Commons, *Circular Letter to the Governors*, p.1.
- ³⁵ Laidlaw, 'Integrating Metropolitan, Colonial and Imperial Histories', p.84.
- ³⁶ Crowley, ed., *A New History of Australia*, p.8.
- ³⁷ When La Trobe and his family came out from London to Sydney in 1839 the journey took them one hundred and twenty-three days. Gross, *Charles Joseph La Trobe*, p.12.
- ³⁸ Clark, ed., *Select Documents in Australian History*, p.65.
- ³⁹ Collins, *An Account of the English Colony*, p.17.
- ⁴⁰ Ibid, p.18.
- ⁴¹ Crowley, ed., *A New History of Australia*, p.6.
- ⁴² Ibid, p.33.
- ⁴³ Ibid.
- ⁴⁴ Ibid, p.33.
- ⁴⁵ Reynolds, *This Whispering in Our Hearts*, pp.1-9.
- ⁴⁶ As quoted by Reynolds, *This Whispering in Our Hearts*, p.7.

- ⁴⁷ Rae-Ellis, *Black Robinson*, p.21.
- ⁴⁸ Great Britain, House of Commons, *Aboriginal Tribes*, p.150.
- ⁴⁹ Ibid, p.154.
- ⁵⁰ Ibid, p.155.
- ⁵¹ McMahon, 'The British Army', p.60.
- ⁵² Ibid, pp.60-61.
- ⁵³ Rae-Ellis, *Black Robinson*, pp. 22, 38.
- ⁵⁴ Great Britain, House of Commons, *Aboriginal Tribes*, p.156.
- ⁵⁵ Ibid, p.158.
- ⁵⁶ New South Wales, Legislative Council, *Report from the Committee on the Aborigines Question*, p.2.
- ⁵⁷ McGrath, 'Tasmania: 1', p.323.
- ⁵⁸ Ibid.
- ⁵⁹ Great Britain, House of Commons, *Aboriginal Tribes*, p.158.
- ⁶⁰ Rae-Ellis, *Black Robinson*, pp. 111, 165.
- ⁶¹ Great Britain, House of Commons, *Aboriginal Tribes*, p.164.
- ⁶² Great Britain, House of Commons, *Copies or Extracts of Despatches Relative to the Massacre*.

DEVISING A PLAN FOR THE PROTECTION OF ABORIGINAL PEOPLES

- ¹ Great Britain, House of Commons, *Report from the Select Committee on Aborigines*, paper no. 538, p.ii.
- ² Members of the committee were Thomas Fowell Buxton, Benjamin Hawes, Mr Bagshaw, Sir Rufane Donkin, Mr Holland, William Gladstone, Charles Lushington, Sir George Grey, Joseph Pease, Sir Edward Baines, Andrew Johnson, Mr Hindley, Mr Plumptre, William Wilson and Colonel Thompson (See Appendix B).
- ³ May, *A Treatise upon the Law*, p.232.
- ⁴ Ibid.
- ⁵ Ibid, p.236.
- ⁶ Benjamin Robert Haydon, 'The Anti-Slavery Society Convention, 1840', NPG 599, National Portrait Gallery, London.
- ⁷ Member for Hull 1835-1837. Turner, *Independent Radicalism*, p.1.
- ⁸ Ibid, pp.5, 179.
- ⁹ ODNB, s.v. 'Hindley, Charles (1796-1857), politician and factory reformer'.
- ¹⁰ Dodd, *The Parliamentary Companion*, p.223. Laidlaw, 'Integrating Metropolitan, Colonial and Imperial Histories', p.84.
- ¹¹ ODNB, s.v. 'Grey, Sir George (1799-1882), politician'.
- ¹² ODNB, s.v. 'Hawes, Sir Benjamin (1797-1862), politician'.
- ¹³ ODNB, s.v. 'Donkin, Sir Rufane Shaw (1773-1841), army officer'.
- ¹⁴ Laidlaw, 'Integrating Metropolitan, Colonial and Imperial Histories', p.87.
- ¹⁵ Urban, *The Gentleman's Magazine*, vol. 212, p.238.
- ¹⁶ ODNB, s.v. 'Gladstone, William Ewart (1809-1898), prime-minister and author'.
- ¹⁷ Ibid.
- ¹⁸ Urban, *The Gentleman's Magazine*, vol. 35, New Series, p.238.
- ¹⁹ Buxton, ed., *Memoirs of Sir Thomas Fowell Buxton*, p. 310.

- ²⁰ Laidlaw, 'Integrating Metropolitan, Colonial and Imperial Histories', pp.81-82.
- ²¹ Walls, 'The Legacy of Thomas Fowell Buxton', p.75.
- ²² Great Britain, House of Commons, *Report from the Select Committee on Aborigines*, paper no. 538, p. iv.
- ²³ Ibid.
- ²⁴ Buxton, ed., *Memoirs of Sir Thomas Fowell Buxton*, pp.309-310.
- ²⁵ Great Britain, House of Commons, *Report from the Select Committee on Aborigines*, paper no. 538, p. iii.
- ²⁶ Ibid, pp. 486-487.
- ²⁷ Brantlinger, *Dark Vanishings*, p.75.
- ²⁸ Ibid, pp.86-87.
- ²⁹ Great Britain, House of Commons, *Report from the Select Committee on Aborigines*, paper no. 538, p.637.
- ³⁰ Ibid, pp. 635-638.
- ³¹ Ibid, p.487.
- ³² Ibid, p.491.
- ³³ Ibid, p.14.
- ³⁴ Ibid, p.16.
- ³⁵ Ibid, p.675.
- ³⁶ Ibid, p.21.
- ³⁷ Ibid, p.202.
- ³⁸ Ibid, p.203.
- ³⁹ Ibid, p.176.
- ⁴⁰ Ibid, p.460.
- ⁴¹ Sir George Arthur to Sir Thomas Spring Rice, 27 January 1835 in Great Britain, House of Commons, *Report from the Select Committee on Aborigines*, paper no. 425, p.122.
- ⁴² Ibid.
- ⁴³ Ibid, p.124.
- ⁴⁴ Lord Glenelg to Sir George Arthur, 20 November 1835 in *HRV*, vol. 2A, p.18.
- ⁴⁵ Sir George Arthur to Thomas Fowell Buxton, 18 September 1834 in Great Britain, House of Commons, *Report from the Select Committee on Aborigines*, paper no. 538, p.679.
- ⁴⁶ Ibid.
- ⁴⁷ Sir George Arthur to Sir Thomas Spring Rice, 27 January 1835 in *HRV*, vol. 2A, p.6.
- ⁴⁸ Buxton, ed., *Memoirs of Sir Thomas Fowell Buxton*, p.310.
- ⁴⁹ Rowen, *A History of Early Modern Europe 1500-1815*, p.261.
- ⁵⁰ Sir George Grey to A.Y. Spearman, 30 January 1836 in *HRV*, vol. 2A, p.18.
- ⁵¹ Lord Glenelg to Sir George Arthur, 13 April 1836 in *HRV*, vol. 2A, p.20.
- ⁵² Lord Glenelg to Sir George Arthur, 11 February 1836 in *HRV*, vol. 2A, p.19.
- ⁵³ Ibid, p.20.
- ⁵⁴ Sir George Arthur to Sir George Grey, 21 June 1837 in *HRV*, vol. 2A, pp.21-23.
- ⁵⁵ Laidlaw, 'Integrating Metropolitan, Colonial and Imperial Histories', pp.82, 86-87.
- ⁵⁶ Ibid, p.87.
- ⁵⁷ Buxton, ed., *Memoirs of Sir Thomas Fowell Buxton*, p.354.
- ⁵⁸ Great Britain, House of Commons, *Copies or Extracts of Despatches Relative to the Massacre of Various Aborigines of Australia*, p.3.

⁵⁹ Ibid.

⁶⁰ Lord Glenelg to Sir George Gipps, 31 January 1838 in *HRA*, vol. 19, p.252.

⁶¹ Mc Maughey, et. al., *Victoria's Colonial Governors*, p.19.

⁶² Great Britain, House of Commons, *Report from C.J. La Trobe, Esq., on Negro Education in British Guiana and Trinidad*, paper no. 35; Great Britain, House of Commons, *Report from C.J. La Trobe, Esq., on Negro Education in Jamaica*, paper no. 113; Great Britain, House of Commons, *Report from C.J. La Trobe, Esq. to Lord Glenelg, on Negro Education in Windward and Leeward Islands*, paper no. 520.

⁶³ Latimer, 'The Foundation of Religious Education', pp.435-436.

⁶⁴ Reilly Drury, *La Trobe*, pp.113-115.

⁶⁵ Great Britain, House of Commons, *Report from C.J. La Trobe, Esq., on Negro Education in Jamaica*, paper no. 113, p.14.

⁶⁶ Gross, *Charles Joseph La Trobe*, p.8.

⁶⁷ Brantlinger, *Dark Vanishings*, p.73.

⁶⁸ Reilly, 'The Creation of a Civil Servant', p.69.

⁶⁹ Gross, *Charles Joseph La Trobe*, p.9.

⁷⁰ Reilly Drury, *La Trobe*, p.259.

A CHALLENGING BEGINNING

¹ *ADB*, s.v. 'Gipps, Sir George (1791-1847)'.

² Shaw, ed., *Gipps-La Trobe Correspondence*, p.xvi.

³ Dodsley, *The Annual Register*, p.214.

⁴ Urban, *The Gentleman's Magazine*, April 1847, p.425.

⁵ Shaw, ed., *Gipps-La Trobe Correspondence*, p.xvi.

⁶ *ADB*, s.v. 'Gipps, Sir George (1791-1847)'.

⁷ Gipps arrived in Sydney 23 February 1838 and La Trobe arrived 25 July 1839. Reilly Drury, *La Trobe*, p.136.

⁸ Crowley, *A New History of Australia*, p.51.

⁹ Shaw, *A History of the Port Phillip District*, pp.117-118.

¹⁰ Lieutenant-Colonel Kenneth Snodgrass to Lord Glenelg, 23 February 1838, *HRV*, vol. 2A, p.344.

¹¹ Enclosure in dispatch from Sir George Gipps to Lord Glenelg, 21 July 1838, *HRV*, vol. 2A, pp.356-357.

¹² Ibid.

¹³ Sir George Gipps to Lord Glenelg, 27 April 1838, *HRA*, vol. 19, pp.399-400.

¹⁴ Gipps to Glenelg, 19 December 1838, Despatch no.200, CO201/277, PRO.

¹⁵ James Stephen's minute to Sir George Grey, 1 November 1838, *HRV*, vol. 2A, p. 346.

¹⁶ Ibid.

¹⁷ Lord Glenelg to Sir George Gipps, 31 January 1838, *HRA*, vol. 19, pp.252-5

¹⁸ Ibid, p.254.

¹⁹ Sir George Gipps to Lord Glenelg, 27 April 1838, *HRA*, vol.19, p. 399.

²⁰ Ibid.

²¹ Sir George Gipps to Lord Glenelg, 22 July 1838, *HRA*, vol. 20, pp.243-259.

²² Lord Glenelg to Sir George Gipps, 10 November 1838, *HRA*, vol.19, p.660.

²³ Sir George Gipps to Lord Glenelg, 3 November 1838, *HRA*, vol.19, p.644.

- ²⁴ I have rounded these figures up to the nearest pound. *V&P*, 1839, 'Estimate of the Probable Expenses of the Establishments for the Protection of the Aborigines, and of Missions for their Civilization and Conversion to Christianity, for the Year 1840'; *V&P*, 1841, 'A Statement of the Expenditure on Account of the Aborigines of New South Wales, and South Sea Islands, for the Year 1840'.
- ²⁵ *V&P*, 1841, 'A Statement of the Expenditure on Account of the Aborigines of New South Wales, and South Sea Islands, for the Year 1840'.
- ²⁶ Sir George Gipps to Lord Glenelg, 3 November 1838, *HRA*, vol.19, p.645.
- ²⁷ Shaw, *A History of the Port Phillip District*, p.120.
- ²⁸ Foster, *Colonial Improver*, p.53.
- ²⁹ Marquess of Normanby to Sir George Gipps, 20 May 1839, *HRA*, vol. 20, p.163.
- ³⁰ La Trobe to Colonial Secretary, 31 March 1843, 43/474, VPRS 16, PROV.
- ³¹ La Trobe to Colonial Secretary, 17 April 1847, 47/388, VPRS 16, PROV. Lord Stanley appointed FitzRoy in 1845 but he didn't arrive in New South Wales until 1846.
- ³² Foster, *Colonial Improver*, p.59.
- ³³ Lord Glenelg to Sir George Gipps, 31 January 1838, *HRV*, vol. 2B, p.373.
- ³⁴ D'Arcy, 'Child of the Metropolis', p.55.3; Rae-Ellis, *Black Robinson*, pp. 3-5.
- ³⁵ D'Arcy, 'Child of the Metropolis', pp.55.4-55.5.
- ³⁶ Rae-Ellis, *Black Robinson*, pp.6-7.
- ³⁷ Rae-Ellis, *Black Robinson*, p.7; D'Arcy, 'Child of the Metropolis', p.55.2.
- ³⁸ *ADB*, s.v. 'Robinson, George Augustus (1791-1866)'.
- ³⁹ *Ibid*.
- ⁴⁰ Rae-Ellis, *Black Robinson*, pp.19-20.
- ⁴¹ D'Arcy, 'Child of the Metropolis', pp.55.8-55.9.
- ⁴² G.A. Robinson to John Montagu, 11 February 1835, *HRV*, vol. 2A, p.11.
- ⁴³ James Stephen to A.Y. Spearman, 30 August 1837, *HRV*, vol. 2A, p.29.
- ⁴⁴ Sir George Gipps to Lord Glenelg, 10 November 1838, *HRA*, vol. 19, p.668.
- ⁴⁵ New South Wales, Legislative Council, *Aborigines Question*.
- ⁴⁶ Sir George Gipps to Lord Glenelg, 10 November 1838, *HRA*, vol. 19, pp.668-669.
- ⁴⁷ Sir John Franklin to Lord Glenelg, 13 February 1839, *HRV*, vol. 2B, p. 401; Colonial Secretary to Robinson, 25 June 1839, *HRV*, vol. 2B, p.403.
- ⁴⁸ Rae-Ellis, *Black Robinson*, pp.158-161.
- ⁴⁹ James Stephen's minute, 9 May 1839, *HRV*, vol. 2B, pp.399-400.
- ⁵⁰ Rae-Ellis, *Black Robinson*, pp.158-159.
- ⁵¹ Sir John Franklin to Lord Glenelg, 13 February 1839, *HRV*, vol. 2B, p.401.
- ⁵² Rae-Ellis, *Black Robinson*, p.160.
- ⁵³ Sir George Gipps to Lord John Russell, 7 May 1840, *HRA*, vol. 20, p 609.
- ⁵⁴ Shaw, *A History of the Port Phillip District*, p.118.
- ⁵⁵ Sir George Gipps to Lord Glenelg, 21 July 1838, *HRA*, vol. 19, p.510.
- ⁵⁶ Clark, ed. *The Journals of George Augustus Robinson*, vol. 1, p.93.
- ⁵⁷ Shaw, *Gipps-La Trobe Correspondence*, p.6.
- ⁵⁸ La Trobe to Robinson, 21 August 1841, 41/906, VPRS 16, PROV. While this was a serious dereliction of duty at the time, Robinson's reports are now an important source for historians and other researchers interested in south-eastern Aboriginal people and the running of the Protectorate.
- ⁵⁹ Clark, ed. *The Journals of George Augustus Robinson*, vol. 1, p.91.

- ⁶⁰ Ibid, p. 91.
- ⁶¹ La Trobe to Robinson, 18 October 1839, 39/42, VPRS 16, PROV.
- ⁶² La Trobe to Robinson, 18 October 1839, 39/43, VPRS 16, PROV.
- ⁶³ Clark, ed. *The Journals of George Augustus Robinson*, vol. 1, pp.105, 121.
- ⁶⁴ La Trobe to Robinson, 22 November 1839, 39/133, VPRS 16, PROV; La Trobe to Robinson, 1 January 1840, 40/6, VPRS 16, PROV; La Trobe to Robinson, 25 November 1840, 40/877, VPRS 16, PROV; Clark, ed. *The Papers of George Augustus Robinson*, vol. 3, p.108.
- ⁶⁵ La Trobe to Robinson, 21 August 1841, 41/906, VPRS 16, Public Records Office Victoria.
- ⁶⁶ Clark, ed. *The Journals of George Augustus Robinson*, vol. 1, p.95.
- ⁶⁷ La Trobe to Robinson, 21 December 1841, 41/1438, VPRS 16, PROV; La Trobe to the Colonial Secretary, 27 December 1841, 41/1480, VPRS 16, PROV.
- ⁶⁸ La Trobe to Colonial Secretary, 5 May 1842, 42/575, VPRS 16, PROV.
- ⁶⁹ La Trobe to the Colonial Secretary, 12 July 1847, 47/752, VPRS 16, PROV.
- ⁷⁰ La Trobe to Robinson, 23 October 1839, 39/69, VPRS 16, PROV; La Trobe to Robinson, 23 October 1839, 39/70, VPRS 16, PROV; La Trobe to Robinson, 7 December 1839, 39/174, VPRS 16, PROV; La Trobe to Robinson, 13 January 1840, 40/27, VPRS 16, PROV.
- ⁷¹ La Trobe to Robinson, 23 October 1839, 39/70, VPRS 16, PROV; La Trobe to Robinson, 7 December 1839, 39/174, VPRS 16, PROV.
- ⁷² La Trobe to Robinson, 23 October 1839, 39/69, VPRS 16, PROV.
- ⁷³ Shaw, *A History of the Port Phillip District*, p.127.
- ⁷⁴ La Trobe to Robinson, 17 July 1840, 40/541, VPRS 16, PROV.
- ⁷⁵ La Trobe, *Charles Joseph La Trobe: Australian Notes 1839-1854*, p.244.
- ⁷⁶ La Trobe to Robinson, 31 March 1840, 40/125, VPRS 16, PROV.
- ⁷⁷ La Trobe to Robinson, 31 March 1840, 40/125, VPRS 16, PROV.
- ⁷⁸ Shaw, *Gipps-La Trobe Correspondence*, p.45.
- ⁷⁹ Shaw, *A History of the Port Phillip District*, p. 25.
- ⁸⁰ Clark, ed. *The Journals of George Augustus Robinson*, vol. 2, p. 6.
- ⁸¹ Ibid.
- ⁸² La Trobe, *Charles Joseph La Trobe: Australian Notes 1839-1854*, p.245.
- ⁸³ Ibid.
- ⁸⁴ Ibid, p. 246.
- ⁸⁵ Clark, ed. *The Journals of George Augustus Robinson*, vol. 1, p.32.
- ⁸⁶ Ibid, p. 95.
- ⁸⁷ Ibid, p.129.
- ⁸⁸ La Trobe to Robinson, 20 August 1841, 41/905, VPRS 16, PROV.
- ⁸⁹ La Trobe to Colonial Secretary, 15 April 1847, 47/373, VPRS 16, PROV.
- ⁹⁰ 'The Lost One', *The Port Phillip Herald*, 11 August 1846, p.2.
- ⁹¹ La Trobe to Robinson, 3 May 1847, 47/490, VPRS 16, PROV.
- ⁹² La Trobe responds to the Governor's request for more information about three legal cases because Robinson was absent. La Trobe to the Colonial Secretary, 18 June 1846, 46/549, VPRS 16, PROV; La Trobe takes up Robinson's duty of compiling lists of Aboriginal and white deaths for the Governor because the Chief Protector is away. La

Trobe to the Colonial Secretary, 28 June 1844, New South Wales, Legislative Council, V&P, 1844, vol.1, 'Aborigines', p.717.

⁹³ Clark, ed. *The Journals of George Augustus Robinson*, vol. 1, p.21.

⁹⁴ Shaw, *A History of the Port Phillip District*, p.127.

⁹⁵ Clark, ed. *The Papers of George Augustus Robinson*, vol. 4, p.113.

⁹⁶ La Trobe to Colonial Secretary, 18 November 1848 in Despatch no. 231 from Governor FitzRoy to Earl Grey, 12 March 1849, CO201/416, PRO.

⁹⁷ Sir George Gipps to Lord Stanley, 16 May 1842, Despatch no. 81, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.216.

UNFULFILLED EXPECTATIONS

¹ James Stephen to A.Y. Spearman, 30 August 1837, *HRV*, vol. 2A, p.28.

² Tyrrell, *A Sphere of Benevolence*, p.116.

³ Ibid, pp.118, 132.

⁴ Orton, *Aborigines of Australia*, p.4.

⁵ Tyrrell, *A Sphere of Benevolence*, p.141.

⁶ As quoted in Shaw, *A History of the Port Phillip District*, p.117.

⁷ 'James Dredge to Rev. Dr Bunting, 10 May 1841', James Dredge Letterbook.

⁸ Sir George Arthur to Lord Glenelg, 15 December 1837, *HRV*, vol. 2A, pp.31-36.

⁹ Sir George Arthur's memorandum to applicants, *HRV*, vol. 2A, p.33.

¹⁰ Arkley, *The Hated Protector*, pp.50, 53, 55.

¹¹ Ibid, pp.55-58.

¹² Sir George Arthur to Lord Glenelg, 15 December 1837, *HRV*, vol. 2A, p.33.

¹³ Cannon, *Black Land, White Land*, p.28.

¹⁴ *ADB*, s.v. 'Thomas, William (1793-1867)'.

¹⁵ Sir George Arthur to Lord Glenelg, 15 December 1837, *HRV*, vol. 2A, p.33.

¹⁶ Dredge, "'An Awful Silence Reigns'", p.18.

¹⁷ Sir George Arthur to Lord Glenelg, 15 December 1837, *HRV*, vol. 2A, p.34.

¹⁸ Morrison, *A Successful Failure*, p.13.

¹⁹ Rae-Ellis, *Black Robinson*, p.182.

²⁰ Arkley, *The Hated Protector*, p.58.

²¹ Sir George Arthur to Lord Glenelg, 15 December 1837, *HRV*, vol. 2A, p.34.

²² Frances, Marcus, Charles, twins Frederica and Melita, Georgina and Falkland. Arkley, *The Hated Protector*, pp.262-263.

²³ William, Miss Thomas, Mary Ann, Emily and James John Whetham. William Thomas to Colonial Secretary, 1 December 1838, *HRV*, vol. 2B, p.388.

²⁴ Edward, Joseph, Samuel, Theophilus, William, George and Emma with Mary Cook Woolmer and Elinor, Edward, Frederick and George with Hannah Edwards. Parker Family Genealogy.

²⁵ Sir George Arthur to Lord Glenelg, 15 December 1837, *HRV*, vol. 2A, p.35.

²⁶ Sir George Grey to James Dredge, E.S. Parker, C.W. Sievwright and William Thomas, 21 December 1837, *HRV*, vol. 2B, pp.366-367.

²⁷ Edward S. Parker to Sir George Grey, 6 February 1838, *HRV*, vol. 2B, p.379.

²⁸ William Thomas to Lord Glenelg, 8 February 1838, *HRV*, vol. 2B, pp.378-379.

- ²⁹ Morrison, *A Successful Failure*, p.15.
- ³⁰ Passenger lists and shipping information found on the genealogical website *Convictions: Australian Shipping Arrivals and Departures, 1788 to 1968* at www.blaxland.com/ozships.
- ³¹ Sir George Gipps to Lord Glenelg, 10 November 1838, *HRA*, vol. 19, pp.668-669.
- ³² Sir George Arthur to Lord Glenelg, 15 December 1837, *HRV*, vol. 2A, pp.32-33.
- ³³ Great Britain, House of Commons, *Report from the Select Committee on Aborigines*, paper no. 425, pp. 83-84.
- ³⁴ Ibid.
- ³⁵ Ibid, p. 83.
- ³⁶ Tyrrell, *A Sphere of Benevolence*, p.142.
- ³⁷ 'James Dredge to M. A. Dredge', 3 October 1839, James Dredge Letterbook.
- ³⁸ Sir George Grey to James Dredge, E.S. Parker, C.W. Sievwright and William Thomas, 21 December 1837, *HRV*, vol. 2B, pp.366-367.
- ³⁹ Sir George Grey's minute to Lord Glenelg, 25 January 1838, *HRV*, vol. 2B, p.368.
- ⁴⁰ Lord Glenelg to Sir George Gipps, 31 January 1838, *HRV*, vol. 2B, pp.374-375.
- ⁴¹ There was some confusion over this in the Colonial Office. In a note by Gordon Gairdner to James Stephen he stated that 'one of the chief objects of the appointment' was religious instruction. This is contrary to the impression given by Glenelg's despatch to Gipps and the general tenor of the Select Committee suggestions. Gordon Gairdner's minute to James Stephen, 19 March 1838, *HRV*, vol. 2B, p.382.
- ⁴² Assistant Protectors to Sir George Gipps, 1 October 1838, *HRV*, vol. 2B, p.384.
- ⁴³ Lord Glenelg to Sir George Gipps, 31 January 1838, *HRV*, vol. 2B, p.375.
- ⁴⁴ Assistant Protectors to Colonial Secretary, 26 October 1838, *HRV*, vol. 2B, p.385.
- ⁴⁵ Governor's minutes, 25 November 1838, *HRV*, vol. 2B, p.386.
- ⁴⁶ Ibid.
- ⁴⁷ James Dredge to Rev. Watkin, April 1839, [not sent], James Dredge Letterbook.
- ⁴⁸ Sir George Gipps to Colonial Secretary, n.d. [April 1839], *HRV*, vol. 2B, p.457.
- ⁴⁹ Ibid.
- ⁵⁰ La Trobe, *Charles Joseph La Trobe: Australian Notes 1839-1854*, p.234.
- ⁵¹ La Trobe to Colonial Secretary, 18 November 1848 in Despatch no. 231 from Governor FitzRoy to Earl Grey, 12 March 1849, CO201/416, PRO.

THE REAL CIRCUMSTANCES EXPOSED

- ¹ Charles Joseph La Trobe to Colonial Secretary, 4 March 1842, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.217.
- ² La Trobe to Colonial Secretary, 18 November 1848 in Despatch no. 231 from Governor Fitzroy to Earl Grey, 12 March 1849, CO201/416, PRO.
- ³ Shaw, *A History of the Port Phillip District*, p.120.
- ⁴ Robinson to the Colonial Secretary, 26 March 1839, *HRV*, Vol. 2B, pp.451-452.
- ⁵ Robinson to Colonial Secretary, 26 March 1839, *HRV*, vol. 2B, p.451.
- ⁶ Clark, ed., *The Journals of George Augustus Robinson*, vol. 1, p.28.
- ⁷ Governor's minute, 15 April 1839, *HRV*, vol. 2B, p.453; George Gipps to Colonial Secretary, n.d. [April 1839], *HRV*, vol. 2B, pp.457-458.

⁸ E. Deas Thomson to Charles Joseph La Trobe, 24 April 1840, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.55.

⁹ Robinson to Colonial Secretary, 6 May 1839, *HRV*, vol. 2B, p.464; Sievwright to Robinson, 23 May 1839, *HRV*, vol. 2B, pp.465-466; Parker to Robinson, 28 May 1839, *HRV*, vol. 2B, pp.468-469; Robinson to Colonial Secretary, 29 May 1839, *HRV*, vol. 2B, pp.469-470.

¹⁰ Assistant Protectors to Colonial Secretary, 26 October 1838, *HRV*, vol. 2B, p.386.

¹¹ Clark, ed., *The Journals of George Augustus Robinson*, vol. 1, pp.23, 43.

¹² *Ibid*, p.46.

¹³ *Ibid*, pp.48, 49, 67-69.

¹⁴ Lord Glenelg to Sir George Gipps, 31 January 1838, *HRV*, vol. 2B, pp.374-375.

¹⁵ Great Britain, House of Commons, *Report from the Select Committee on Aborigines*, paper no. 425, p. 83.

¹⁶ *Ibid*.

¹⁷ Sir George Arthur to Lord Glenelg, 15 December 1837, *HRV*, vol. 2A, p.32.

¹⁸ Governor's minutes, 25 November 1838, *HRV*, Vol. 2B, p.386.

¹⁹ La Trobe to Robinson, 6 November 1839, 39/92, VPRS 16, PROV.

²⁰ La Trobe to Robinson, 13 January 1840, 40/27, VPRS 16, PROV.

²¹ Dredge to Robinson, 22 June 1840, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.307.

²² Shaw, *A History of the Port Phillip District*, p.120.

²³ Clark, ed., *The Journals of George Augustus Robinson*, vol. 1, p.123.

²⁴ *Ibid*, p.352.

²⁵ *Ibid*.

²⁶ Robinson to La Trobe, 22 September 1840, 40/942, VPRS 10, PROV.

²⁷ *Ibid*.

²⁸ Morrison, ed., *A Successful Failure*, p.22.

²⁹ Dredge to Robinson, 22 June 1840, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.306.

³⁰ Clark, ed., *The Journals of George Augustus Robinson*, vol. 1, p. 345.

³¹ Deas Thomson to La Trobe, 28 April 1840, 40/137, VPRS 10, PROV.

³² *Ibid*.

³³ Clark, ed., *The Journals of George Augustus Robinson*, vol. 1, p.352.

³⁴ Dredge to Robinson, 22 June 1840, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.307.

³⁵ Robinson to La Trobe, 3 December 1841, 41/1834, VPRS 10, PROV; La Trobe to Colonial Secretary, 11 December 1840, 40/923, VPRS 16, PROV.

³⁶ New South Wales, Legislative Council, *Report from the Select Committee on the Condition of the Aborigines*, p.48.

³⁷ Robinson to La Trobe, 14 December 1842, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.255.

³⁸ I have used Shaw here and dated European 'settlement' from the arrival of the Henty family in Portland in November 1834. Shaw, *A History of the Port Phillip District*.

³⁹ Shaw, *A History of the Port Phillip District*, p.115; *HRV*, vol. 2A, p.153.

⁴⁰ *HRV*, vol. 2A, p.153.

- ⁴¹ Langhorne to Bourke, 26 November 1836, *HRV*, vol. 2A, p.157.
- ⁴² Colonial Secretary's draft memorandum, 9 December 1836, *HRV*, vol. 2A, p.163.
- ⁴³ *Ibid*, pp.163-165.
- ⁴⁴ Robinson to Colonial Secretary, 12 March 1839, *HRV*, vol. 2B, p.500; Colonial Secretary to G.M. Langhorne, 27 April 1839, *HRV*, vol. 2B, p.501.
- ⁴⁵ G.M. Langhorne to La Trobe, 15 October 1839, *HRV*, vol. 2B, p.508.
- ⁴⁶ *Ibid*.
- ⁴⁷ La Trobe to the Colonial Secretary, 28 August 1841, 41/967, VPRS 16, PROV.
- ⁴⁸ La Trobe to G.M. Langhorne, 10 October 1839, *HRV*, vol. 2B, p.507.
- ⁴⁹ Colonial Secretary to G.M. Langhorne, 15 April 1839, *HRV*, vol. 2B, p.501.
- ⁵⁰ Clark, ed., *The Journals of George Augustus Robinson*, vol. 1, p.357.
- ⁵¹ Robinson's journal does not reveal whether Thomas was using both sites at the same time or whether one succeeded the other. Clark, ed., *The Journals of George Augustus Robinson*, vol. 1, p.357.
- ⁵² Gipps' approved, for example, the allocation of several reserved sites in the Geelong District. In his Chief Protector's report of December 1841 Robinson referred to four reserves in the Geelong District in addition to the main station. Robinson located these reserves at the junction of the Glenelg and Wannon Rivers, at Killambeet and Burrumbeep. He also mentions a temporary camp at Lake Tarong and a meeting place at Lake Boloke. Robinson to La Trobe, 11 December 1841, Great Britain, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.167.
- ⁵³ Robinson to La Trobe, 11 December 1841, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.167.
- ⁵⁴ *Ibid*.
- ⁵⁵ *Ibid*.
- ⁵⁶ *Ibid*.
- ⁵⁷ Dredge to Dr Jabez Bunting, 31 July 1840, James Dredge Letterbook.
- ⁵⁸ *Ibid*.
- ⁵⁹ Benjamin Hurst to La Trobe, 21 October 1842, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.244.
- ⁶⁰ Edward Stone Parker to George Augustus Robinson, 18 March 1840, Unit 4/119, VPRS 11, PROV.
- ⁶¹ Clark, *Aboriginal Languages and Clans*, p.163.
- ⁶² Edward Stone Parker to George Augustus Robinson, 26 January 1841, 41/186, VPRS 10, PROV.
- ⁶³ Parker to Robinson, 5 January 1843, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.309.
- ⁶⁴ Clarke and Heydon, *A Bend in the Yarra*, pp.16-17. By 1843 Parker was aware that these people were not visiting his station.
- ⁶⁵ C.W. Sievwright to Colonial Secretary, 1 December 1838, *HRV*, vol. 2B, pp.388-389.
- ⁶⁶ Robinson to Thomas, 27 August 1839, *HRV*, vol. 2B, p.577.
- ⁶⁷ Parker to Robinson, 31 December 1840, Unit 4/156, VPRS 11, PROV.
- ⁶⁸ Parker to Robinson, 15 October 1841, Unit 4/169, VPRS 11, PROV.
- ⁶⁹ La Trobe to Colonial Secretary, 8 October 1841, 41/1137, VPRS 16, PROV.

- ⁷⁰ Robinson to La Trobe, 19 October 1848, 48/2173, VPRS 10, PROV; Clark, *That's My Country Belonging to Me*, p.170.
- ⁷¹ Robinson to La Trobe, 26 June 1847, 47/1183, VPRS 10, PROV.
- ⁷² Robinson to Assistant Protectors, 1 April 1839, *HRV*, vol. 2B, pp.453-454.
- ⁷³ La Trobe to Colonial Secretary, 4 March 1842, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.217.
- ⁷⁴ Benjamin Hurst to La Trobe, 21 October 1842, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.244.
- ⁷⁵ Benjamin Hurst to La Trobe, 21 October 1842, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.244.
- ⁷⁶ Morrison, ed. *A Successful Failure*, p.22.
- ⁷⁷ Colonial Secretary to La Trobe, 29 April 1840, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.56.
- ⁷⁸ *Ibid.*
- ⁷⁹ Gipps closed down the Wellington Valley Mission in 1844. The mission had problems sourcing water and minimal attendance. James Gunther to Colonial Secretary, 7 January 1842, V&P 1843, 'Aborigines', pp.8-10.
- ⁸⁰ Crowley, ed., *A New History of Australia*, p.89.
- ⁸¹ Parker to Robinson, 26 June 1845, Unit 5/223, VPRS 11, PROV.
- ⁸² Robinson to La Trobe, 23 October 1847, 47/1974, VPRS 10, PROV.
- ⁸³ Robinson to La Trobe, 28 March 1849, 49/671, VPRS 2897, PROV.
- ⁸⁴ Edward Stone Parker to Robinson, 24 March 1849, 49/671, VPRS 2897, PROV; Cannon, *Black Land, White Land*, pp.247-248; Morrison, ed. *A Successful Failure*, pp.80, 116-117.
- ⁸⁵ Powlett to La Trobe, 9 April 1849, 49/718, VPRS 2897, PROV.
- ⁸⁶ La Trobe's handwritten note on Robinson to La Trobe, 19 April 1849, 49/815, VPRS 2897, PROV. See attached memorandum for boundary of reserve.
- ⁸⁷ Glenelg to Sir Richard Bourke, 26 July 1837, Great Britain, House of Commons, *Copies or Extracts of Despatches Relative to the Massacre*, p.3.
- ⁸⁸ La Trobe to Colonial Secretary, 29 January 1842, 42/132, VPRS 16, PROV.
- ⁸⁹ Shaw, *A History of the Port Phillip District*, p.137.
- ⁹⁰ Reynolds, *The Law of the Land*, p.146.
- ⁹¹ Earl Grey to Sir Charles Fitzroy, 11 February 1848, *HRA*, vol. 26, p.225.
- ⁹² Reynolds, *The Land of the Land*, p.147.
- ⁹³ New South Wales, Legislative Council, *Report from the Committee on the Aborigines Question*, p.22.
- ⁹⁴ *Ibid.*
- ⁹⁵ Robinson to La Trobe, 11 December 1841, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.168; New South Wales, Legislative Council, *Report from the Select Committee on the Condition of the Aborigines*, p.50.
- ⁹⁶ Clark, *Aboriginal Language Areas in Victoria*.

⁹⁷ New South Wales, Legislative Council, *Report from the Committee on the Aborigines Question*, p.23.

⁹⁸ Benjamin Hurst to La Trobe, 22 December 1841, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.176.

⁹⁹ Parker to Robinson, 21 August 1845, Unit 5/229, VPRS 11, PROV.

¹⁰⁰ New South Wales, Legislative Council, *Report from the Select Committee on the Condition of the Aborigines*, p.50.

¹⁰¹ Edward Stone Parker, *The Aborigines of Australia, A Lecture, Delivered in the Mechanics' Hall, Melbourne, Before the John Knox Young Men's Association, on Wednesday, May 10th, 1854* in Morrison, ed. *A Successful Failure*, pp.296-297. For copies of some of Parker's translations see the Parker Papers.

¹⁰² Parker, *The Aborigines of Australia* in Morrison, *A Successful Failure*, p.297.

ENFORCING MISGUIDED PHILANTHROPY

¹ Shaw, ed., *Gipps-La Trobe Correspondence*, p.xvi.

² Reilly Drury, *La Trobe*, pp.256-257.

³ Shaw, ed., *Gipps-La Trobe Correspondence*, p.xvii.

⁴ Gross, *Charles Joseph La Trobe*, p.73.

⁵ Reilly Drury, *La Trobe*, p.143.

⁶ Proclamation, 'Protection of the Aborigines', 21 May 1839, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.21.

⁷ Christie, *Aborigines in Colonial Victoria*, pp.88-89.

⁸ Great Britain, House of Commons, *Report from the Select Committee on Aborigines*, paper no. 425, p.77.

⁹ *Ibid*, p.76.

¹⁰ See VPRS 4410, PROV.

¹¹ Robinson to La Trobe, 3 October 1839, 39/51, VPRS 10, PROV.

¹² Sir George Gipps to Lord Stanley, 28 December 1842, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.239.

¹³ *Ibid*.

¹⁴ *ADB*, s.v. 'Wedge, John Helder (1793-1872)'.

¹⁵ 'Scheme for civilizing and bring into industrious habits the Aborigines of New Holland', Port Phillip Association Papers, pp.69-72; Lord John Russell to Sir George Gipps, 24 January 1840, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.119.

¹⁶ Lord John Russell to Sir George Gipps, 26 December 1839, *HRA*, vol. 20, pp.447-451.

¹⁷ La Trobe to Colonial Secretary, 28 August 1841, 41/967, VPRS 16, PROV.

¹⁸ Lord John Russell to Sir George Gipps, 24 January 1840, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.120.

¹⁹ La Trobe to Colonial Secretary, 28 August 1841, 41/967, VPRS 16, PROV.

- ²⁰ Lord John Russell to Sir George Gipps, 25 August 1840, *HRA*, vol. 20, p.776.
- ²¹ E. Deas Thomson to La Trobe, 2 July 1841, 41/1004, VPRS 10, PROV.
- ²² Captain G. Grey to Lord John Russell, 4 June 1840, *HRA*, vol. 21, pp.33-40.
- ²³ Lord John Russell to Sir George Gipps, 8 October 1840, *HRA*, vol. 21, p.33.
- ²⁴ Captain G. Grey to Lord John Russell, 4 June 1840, *HRA*, vol. 21, p.34.
- ²⁵ Sir George Gipps to Lord John Russell, 7 April 1841, *HRA*, vol. 21, pp.312-213.
- ²⁶ *Ibid*, pp.314-315.
- ²⁷ John Hunter Patterson, 'Proposed Plan for the Better Treatment of the Aborigines of Australia Felix'. La Trobe to Colonial Secretary, 25 October 1842, 42/1464, VPRS 16, PROV.
- ²⁸ Parker to Robinson, 5 October 1842, Unit 5/187, VPRS 11, PROV.
- ²⁹ La Trobe to the Colonial Secretary, 7 October 1840, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.91.
- ³⁰ Samuel Lettsom J.P. to the Colonial Secretary, 23 October 1840, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, pp.93-94; Samuel Lettsom, Major 80th Regiment, to the Colonial Secretary, 23 October 1840, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.94.
- ³¹ Sir George Gipps to Lord John Russell, 3 February 1841, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.86; La Trobe to Robinson, 3 November 1840, 40/807, VPRS 16, PROV; Shaw, ed., *Gipps-La Trobe Correspondence*, p.58.
- ³² Sir George Gipps to Lord John Russell, 3 February 1841, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, pp.85-86.
- ³³ La Trobe to Robinson, 5 November 1840, 40/817, VPRS 16, PROV.
- ³⁴ *Ibid*.
- ³⁵ Samuel Lettsom to Colonial Secretary, 23 October 1840, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.93.
- ³⁶ *Ibid*.
- ³⁷ William Thomas to Robinson, 29 September 1840, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.96.
- ³⁸ *Ibid*.
- ³⁹ Parker to Robinson, 20 October 1840, Unit 4/149, VPRS 11, PROV.
- ⁴⁰ *Ibid*.
- ⁴¹ Parker to Robinson, 29 October 1840, Unit 4/150, VPRS 11, PROV.
- ⁴² Shaw, ed., *Gipps-La Trobe Correspondence*, p.48.
- ⁴³ Lord John Russell to Sir George Gipps, 11 August 1841, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.96.
- ⁴⁴ La Trobe to Major Lettsom, 10 October 1840, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.95.

- ⁴⁵ Ibid.
- ⁴⁶ Ibid.
- ⁴⁷ *V & P*, 1839.
- ⁴⁸ *V & P*, 1841, 'Aborigines'.
- ⁴⁹ *V & P*, 1841, 'Circular', p.35.
- ⁵⁰ La Trobe to Gipps, 4 March 1842, *V & P*, 1843, 'Aborigines: A Return to an Address by Dr Thomson, 29 August 1843', p.39.
- ⁵¹ Sir George Gipps to Lord Stanley, 16 May, 1842, *V & P*, 1843, 'Aborigines: A Return to an Address by Dr Thomson, 29 August 1843', p.38.
- ⁵² Ibid.
- ⁵³ Ibid, p.42.
- ⁵⁴ Ibid.
- ⁵⁵ La Trobe visited the Loddon and Goulburn stations in 1841. La Trobe to the Colonial Secretary, 8 October 1841, *V & P*, 1844, vol.1 'Aborigines', p.1.
- ⁵⁶ Parker to Robinson, 5 January 1843, *V & P*, 1843, 'Aborigines: A Return to an Address by Dr Thomson, 29 August 1843', pp. 46-56.
- ⁵⁷ Ibid, p.46.
- ⁵⁸ Crowley, ed., *A New History of Australia*, p.90.
- ⁵⁹ La Trobe to the Colonial Secretary, 8 October 1841, *V & P*, 1844, vol.1 'Aborigines', p.1; New South Wales, Legislative Council, *Report from the Select Committee on the Condition of the Aborigines*, p.58.
- ⁶⁰ La Trobe to the Colonial Secretary, 28 June 1844, *V & P*, 1844, vol.1 'Aborigines', p.717.
- ⁶¹ Christie, *Aborigines in Colonial Victoria*, p.98.
- ⁶² New South Wales, Legislative Council, *Report from the Select Committee on the Condition of the Aborigines*, p.2.
- ⁶³ *ADB*, s.v. 'Windeyer, Richard (1806-1847)'.
- ⁶⁴ New South Wales, Legislative Council, *Report from the Select Committee on the Condition of the Aborigines*, p.2.
- ⁶⁵ Ibid.
- ⁶⁶ *ADB*, s.v. 'Windeyer, Richard (1806-1847)'.
- ⁶⁷ *ADB*, s.v. 'Gipps, Sir George (1791-1847)'.
- ⁶⁸ Sir Charles FitzRoy to W.E. Gladstone, 24 October 1846, *HRA*, vol. 25, p.230.
- ⁶⁹ FitzRoy to Earl Grey, 17 May 1847, *HRA*, vol. 25, p.558; 'Proceedings of the Executive Council relative to Earl Grey's Despatches of the 11th February 1848 and 27th January 1849, and to other papers on the subject of the measure to be adopted for the improvement of the Aborigines', Minute No. 48/28 dated 22 August 1848, in Despatch no. 231 from Sir Charles FitzRoy to Earl Grey, 12 November 1849, CO201/416, PRO.
- ⁷⁰ La Trobe to the Colonial Secretary, 15 April 1847, 47/373, VPRS 16, PROV.
- ⁷¹ Earl Grey to Sir Charles FitzRoy, 11 February 1848, *HRA*, vol. 26, p.224.
- ⁷² New South Wales, Legislative Council, *Report from the Select Committee on the Aborigines and Protectorate*.
- ⁷³ La Trobe, *Charles Joseph La Trobe: Australian Notes 1839-1854*, p.341; 'Proceedings of the Executive Council relative to Earl Grey's Despatches of the 11th February 1848 and 27th January 1849, and to other papers on the subject of the measure to be adopted for the improvement of the Aborigines', Minute No. 49/51 dated 15 October 1849, in

Despatch no. 231 from Sir Charles FitzRoy to Earl Grey, 12 November 1849, CO201/416, PRO.

LA TROBE'S DISILLUSIONMENT

- ¹ Shaw, ed., *Gipps-La Trobe Correspondence*, p.21.
- ² La Trobe to the Colonial Secretary, 24 November 1840, 40/881, VPRS 16, PROV.
- ³ Proclamation, Protection of the Aborigines', 21 May 1839, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.21.
- ⁴ Great Britain, House of Commons, *Report from the Select Committee on Aborigines*, paper no. 425, p.84.
- ⁵ Glenelg to Sir George Gipps, 31 January 1838, *HRV*, vol. 2B, p.375.
- ⁶ La Trobe to Robinson, 31 December 1839, 39/210, VPRS 16, PROV.
- ⁷ Ibid.
- ⁸ La Trobe to Colonial Secretary, 26 November 1840, 40/881, VPRS 16, PROV.
- ⁹ Ibid.
- ¹⁰ La Trobe to Robinson, 30 March 1840, 40/126, VPRS 16, PROV.
- ¹¹ La Trobe to Robinson, 10 December 1840, 40/922, VPRS 16, PROV.
- ¹² As quoted by Shaw, *A History of the Port Phillip District*, p.137.
- ¹³ Robinson to La Trobe, 11 December 1841, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.169.
- ¹⁴ Marquess of Normandy to Sir George Gipps, 17 July 1839, *HRA*, vol. 20, pp.242-243.
- ¹⁵ Marquess of Normandy to Sir George Gipps, 31 August 1839, *HRA*, vol. 20, pp.302-303.
- ¹⁶ Mr Justice W.W. Burton to Right Hon. H. Labouchere, 17 August 1839, *HRA*, vol. 20, pp.304-305; Sir George Gipps to Marquess of Normandy, 14 October 1839, *HRA*, vol. 20, p.368.
- ¹⁷ Shaw, *A History of the Port Phillip District*, p.137.
- ¹⁸ Griffith, *The Present State and Prospects of the Port Phillip District*, p.185.
- ¹⁹ La Trobe to Colonial Secretary, 14 June 1842, 42/778, VPRS 16, PROV.
- ²⁰ La Trobe to Colonial Secretary, 5 January 1842, 42/146, VPRS 16, PROV.
- ²¹ Great Britain, House of Commons, *Report from the Select Committee on Aborigines*, paper no. 425, p.84.
- ²² Robinson to La Trobe, 11 December 1841, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.169.
- ²³ La Trobe to Colonial Secretary, 18 June 1846, 46/549, VPRS 16, PROV.
- ²⁴ La Trobe to Colonial Secretary, 4 July 1846, 46/598, VPRS 16, PROV.
- ²⁵ Ibid.
- ²⁶ Shaw, ed., *Gipps-La Trobe Correspondence*, p.150.
- ²⁷ Ibid, p.79 n2.
- ²⁸ La Trobe to Robinson, 10 February 1847, VPRS 16, PROV.
- ²⁹ La Trobe to Colonial Secretary, 18 June 1846, 46/549, VPRS 16, PROV.
- ³⁰ La Trobe to Colonial Secretary, 18 November 1848 in Despatch no. 231 from Governor FitzRoy to Earl Grey, 12 March 1849, CO201/416, PRO.
- ³¹ Shaw, ed., *Gipps-La Trobe Correspondence*, p.22.

- ³² La Trobe, *Charles Joseph La Trobe: Australian Notes 1839-1854*, p.256.
- ³³ Dredge to Robinson, 17 February 1840, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.53.
- ³⁴ Dredge to Dr Jabez Bunting, 31 July 1840, James Dredge Letterbook.
- ³⁵ Parker to Robinson, 31 December 1840, Unit 4/157, VPRS 11, PROV.
- ³⁶ Robinson to La Trobe, 7 January 1841, 41/37, VPRS 10, PROV.
- ³⁷ Robinson to La Trobe, 11 December 1841, Great Britain, House of Commons, *Copies or Extracts from the Despatches of the Governors of the Australian Colonies*, p.167.
- ³⁸ La Trobe to the Colonial Secretary, 5 January 1842, 42/146, VPRS 16, PROV; Clark, ed., *The Journals of George Augustus Robinson*, vol. 4, p.115; New South Wales, Legislative Council, *Report from the Select Committee on the Condition of the Aborigines*, p.54.
- ³⁹ La Trobe to Colonial Secretary, 18 November 1848 in Despatch no. 231 from Governor FitzRoy to Earl Grey, 12 March 1849, CO201/416, PRO.
- ⁴⁰ Lord Stanley to Sir George Gipps, 20 December 1842, V & P, 1843, 'Aborigines', p.42.
- ⁴¹ Ibid.
- ⁴² Ibid, p.41.
- ⁴³ 'Expenses of Mission to the Aborigines', New South Wales, Legislative Council, *Report from the Select Committee on the Condition of the Aborigines*, Appendix; Sir George Gipps to Lord Stanley, 23 February 1845, HRA, vol. 24, p.257.
- ⁴⁴ 'Expenses of Mission to the Aborigines', New South Wales, Legislative Council, *Report from the Select Committee on the Condition of the Aborigines*, Appendix.
- ⁴⁵ La Trobe to the Colonial Secretary, 11 October 1848, 48/1062, VPRS 16, PROV.
- ⁴⁶ Reilly Drury, *La Trobe*, p.199.
- ⁴⁷ La Trobe to Colonial Secretary, 18 November 1848 in Despatch no. 231 from Sir Charles FitzRoy to Earl Grey, 12 March 1849, CO201/416, PRO.
- ⁴⁸ South Wales, Legislative Council, *Report from the Select Committee on the Condition of the Aborigines*, p.56.
- ⁴⁹ Ibid.
- ⁵⁰ 'Appeal on Behalf of the District of Port Phillip', *The Port Phillip Herald*, 6 February, 1845, p.4.
- ⁵¹ Ibid.
- ⁵² Dredge, *Brief Notices*, p.26.
- ⁵³ Lord Stanley to Sir George Gipps, 20 December 1842, V & P, 1843, 'Aborigines', p.43.
- ⁵⁴ La Trobe to Colonial Secretary, 15 April 1847, 47/373, VPRS 16, PROV.
- ⁵⁵ Ibid.
- ⁵⁶ Sir Charles Fitz Roy to Earl Grey, 17 May 1847, HRA, vol. 25, p.558.
- ⁵⁷ Earl Grey to Sir Charles Fitz Roy, 11 February 1848, HRA, vol. 26, p.225.
- ⁵⁸ Ibid, pp.226-227.
- ⁵⁹ La Trobe to the Colonial Secretary, 18 November 1848, New South Wales, Legislative Council, *Report from the Select Committee on the Aborigines and Protectorate*, p.4.
- ⁶⁰ Ibid.
- ⁶¹ Ibid, pp.4-5.
- ⁶² Ibid, p.5.

⁶³ Ibid, p.7.

⁶⁴ Ibid, p.8.

⁶⁵ Ibid.

⁶⁶ La Trobe to Colonial Secretary, 18 November 1848 in Despatch no. 231 from Sir Charles FitzRoy to Earl Grey, 12 March 1849, CO201/416, PRO.

⁶⁷ Sir George Gipps to Lord Stanley, 21 March 1844, *HRA*, vol. 23, p.498.

⁶⁸ La Trobe to Colonial Secretary, 18 November 1848 in Despatch no. 231 from Sir Charles FitzRoy to Earl Grey, 12 March 1849, CO201/416, PRO.

⁶⁹ La Trobe to the Colonial Secretary, 18 November 1848, New South Wales, Legislative Council, *Report from the Select Committee on the Aborigines and Protectorate*, p.8.

⁷⁰ Ibid, p.9.

⁷¹ Ibid.

⁷² Ibid.

⁷³ 'Proceedings of the Executive Council relative to Earl Grey's Despatches of the 11th February 1848 and 27th January 1849, and to other papers on the subject of the measure to be adopted for the improvement of the Aborigines', Minute no. 49/25 dated 11 June 1849, in Despatch no. 231 from Sir Charles FitzRoy to Earl Grey, 12 November 1849, CO201/416, PRO.

⁷⁴ 'Proceedings of the Executive Council relative to Earl Grey's Despatches of the 11th February 1848 and 27th January 1849, and to other papers on the subject of the measure to be adopted for the improvement of the Aborigines', Minutes no. 49/32 dated 9 July 1849 and no. 49/33 dated 16 July 1849, in Despatch no. 231 from Sir Charles FitzRoy to Earl Grey, 12 November 1849, CO201/416, PRO.

⁷⁵ 'Legislative Council', *The Maitland Mercury, and Hunter River General Advertiser*, 10 June 1849, p.2.

⁷⁶ 'Report from the Select Committee on the Aborigines and Protectorate', *The Maitland Mercury, and Hunter River General Advertiser*, 3 October 1849, p.2.

⁷⁷ New South Wales, Legislative Council, *Report from the Select Committee on the Aborigines and Protectorate*.

⁷⁸ Earl Grey to Sir Charles FitzRoy, 27 January 1849, in Despatch no. 13, CO201/415, PRO.

⁷⁹ 'Proceedings of the Executive Council relative to Earl Grey's Despatches of the 11th February 1848 and 27th January 1849, and to other papers on the subject of the measure to be adopted for the improvement of the Aborigines', Minute no. 49/51 dated 15 October 1849, in Despatch no. 231 from Sir Charles FitzRoy to Earl Grey, 12 November 1849, CO201/416, PRO; La Trobe to the Colonial Secretary, 8 June 1850, 50/257, VPRS 16, PROV.

⁸⁰ Ibid.

⁸¹ La Trobe to the Colonial Secretary, 8 June 1850, 50/257, VPRS 16, PROV.

⁸² Ibid.

⁸³ La Trobe to the Colonial Secretary, 20 July 1850, 50/324, VPRS 16, PROV.

CONCLUSION

¹ Reilly Drury, *La Trobe*, p.238.

² Cannon, *Black Land, White Land*, p.257.

³ Reynolds, *This Whispering in Our Hearts*, p.246.

⁴ Curthoys, 'Self-Government and Indigenous Dispossession: Linked fates, separate histories, long shadows', p.13.