MASSACRE AT MYALL CREEK TALK

The massacre at Myall Creek happened about 179 years ago in the north west of New South Wales near the town of Bingara. In today’s talk I will begin with a brief introduction to my play based on the Myall Creek event and why I wrote it. I will then talk about the actual massacre and its legal and political aftermath. In doing so I will be reading some extracts from my play and giving some of the backstories. My purpose is to let you know about this important story if you don’t already know and if you do, hopefully add to your knowledge and understanding.

My Play

My first encounter with the story began forty years ago when I was reading an historical newspaper account of the hanging of the massacre perpetrators. As somebody who studied Australian history at school and university I was surprised and horrified by my ignorance of this important event. As a consequence, I set out to remedy the situation by doing my own research which eventually led to my writing of my play. I wrote Massacre at Myall Creek in the early 1980s as a full-length play for adults under a different title.

My intention in writing the play was to make the Myall Creek Massacre a more well-known event as it was generally ignored by most history books or reduced to a mere footnote when mentioned at all. There were some, most scholarly books that dealt with the topic, but these were usually of a type that academics would read but not the general public. It was probably not until 1991 in John Pilger’s TV program A Secret Country: The Hidden Australia - which included a segment on this massacre - that this event really reached the wider community.

In the mid-1980’s I adapted my play into a theatre-in-education performance vehicle for two actors playing multiple roles, designed specifically for the demands of performance in schools and the economies of touring. This version began production and touring in 1988 to coincide with the bi-centennial year of the founding of European Australia in Australia (1788) and the 150th anniversary of the Myall Creek Massacre (1838).

In the beginning the play toured only to schools in Sydney’s metropolitan area but later expanded its reach considerably throughout New South Wales through the talents and efforts of Willpower Promotion’s Shane Mortimer and Elizabeth Rogers. Eventually the production moved out of NSW into the ACT, Victoria, Tasmania and Queensland. The play ceased production in 1998, having played to many thousands of students, as well as the general public.

In 1993 the play was published internationally by Cambridge University Press. The publication centred on the script of Massacre at Myall Creek and included study units across a number of syllabus areas prepared by me.
In addition to my play, over the years many other books, both creative and academic, have been written about the massacre and frontier conflict. Of particular note is Roger Melliss’ beautifully researched tome on frontier violence, Waterloo Creek. Mark Tedeschi’s recent and excellent Murder at Myall Creek is also of note for its treatment of the trials after the massacre and the figure of Attorney-General John Plunkett who prosecuted the Myall Creek trials. In 2011 a video presentation of the trials was shown on television as part of a series called Australia on Trial. There is now a monument to the massacre and a memorial walk near the actual site and great efforts have been made locally and beyond to make the site of national and international importance.

Of course this all begs the question then:

**Why is the massacre at Myall Creek important to so many?**

The massacre at Myall Creek is a big story, an iconic story, in many ways emblematic. It is such a big story firstly because it tells a hidden and tragic tale about the conquest of Aboriginal land by British colonizers with all its ensuing cultural clashes, deaths and dispossessions. It was not the biggest massacre, but Myall Creek was perhaps one of the most significant; something of a watershed, in what passed for black and white relations. That it was a watershed was largely due to the exceptional consequence that white men were apprehended and punished for the crime. Something that was remarkable not only for Australia but in the history of European colonisation. Most massacres went completely undetected – their victims dead, their perpetrators silent. The Myall Creek massacre on the other hand became a sensation and therefore recorded in detail. Of course the tragedy of Myall Creek did not prevent the occurrence of other massacres, but it did raise the stakes for perpetrators who ultimately became cagier, more devious, in both their methods – gifts of poisoned flour, poisoned waterholes etc.

Another reason why the story of the massacre is big is because of the universal and ongoing themes it contains. Today genocide is an all too familiar news item emanating from one part of the world or the other. But massacres are carried out by people, fuelled by collective prejudices and ignited by a myriad of individual motives. Massacre at Myall Creek is a big story because of all the little stories it contains: personal stories of betrayal, hypocrisy, pride, greed and ambition.

But there are also personal stories of courage. In this tale of brutality, politics and chicanery, there are many villains, a few heroes as well as some who defy easy classification. Over and above Massacre at Myall Creek is a story about humanity’s complexity.

**The Massacre**

Now to the actual massacre. As you can imagine the actual massacre at Myall Creek was an occasion of extreme violence - of depraved and violent blood-lust. Eleven stockmen from neighbouring properties arrived on the evening of the 10th of June while convicts George Anderson and Charles Kilmeister were in their Myall Creek hut. Anderson and Kilmeister had
befriended the Wirrayaraay tribe and were on good terms. Kilmeister use to sing and dance with the tribe and Anderson was having a sexual relationship with one of the women. Her name was Ipeta. The men who arrived on horseback that fateful evening carried various weapons – swords, clubs and guns. On seeing the men, the Aboriginal women, children and old people took refuge with Kilmeister and Anderson and sought their intervention. (The younger men of the tribe were absent, working on another property.) Anderson tried to intervene on their behalf, to argue for them to be spared but he was ignored. The men were determined to complete their murderous mission. Kilmeister fearful of the stockmen numbers and concerned for his own skin, betrayed the tribe, taking up weapons and joining the party. As the men corralled their victims in the hut, tying them together, to be led away to the slaughtering place, a stockyard some distance away, Anderson managed to hide one of the children. He also tried unsuccessfully to obtain the release of Ipeta.

At the stockyard the men beheaded the children and made the others run a gauntlet of swords and clubs. Some were trampled by the men’s horses. Later the bodies were gathered and set on fire.

I’ll let Hobbs, the overseer of the property, suggest the scope of the carnage. Here is his testimony given in court during the Myall Creek trials:

HOBBS: I went to the place where the killings had taken place. There were dead bodies everywhere: the bodies of women, the bodies of children; many without their heads. Most had been in some way mutilated and burnt. The stench was overwhelming and made me sick. I tried to count the bodies, but it proved very difficult at first, owing to the dismemberment and the smell. The most I counted were twenty eight taking account of all the heads and all the parts. There was one body there I took to be Daddy's. It was very large, although again without a head. I am sure, though, it was Daddy's. Daddy was very big. In fact, he was the largest man I have ever met.

Of those taken for slaughter only Ipeta, Anderson’s woman, survived for a time. She was held over by the group and abused sexually before her eventual death.

Now I would like to read part of a scene from my play. This scene features Anderson and Kilmeister and takes place after the massacre as Hobbs – overseer of the Myall Creek property – investigates the disappearance of the tribe.

ANDERSON: Hobbs wants to see you, Kilmeister.
KILMEISTER: I know - I heard him calling. What does he want now?
ANDERSON: You better go, Charlie.
KILMEISTER: Hasn't he asked enough questions? What did he ask you?
ANDERSON: Nothing.
KILMEISTER: He must've asked you something, you were with him long enough. Did he ask you about me?
ANDERSON: Yeah.
KILMEISTER: And what did you say?
ANDERSON: Nothing, I told you. I said I didn't know anything.
KILMEISTER: Are you sure that's all you said? You know what'll happen to you if you've opened your mouth?
ANDERSON: I'm not frightened of you.
KILMEISTER: But it's just not me you've got to be frightened of, is it?
ANDERSON: Why did you do it, Charlie? Why did you join them?
KILMEISTER: I was afraid. I didn't know what they were going to do. I thought they were only going to scare the blacks.
ANDERSON: Scare them? Is that what you call it? [grabbing Kilmeister around the throat]
I ought to kill you, Charlie! I ought to squeeze the miserable life out of you! Ah, what's the use?
[He pushes Kilmeister away.]
KILMEISTER: [gasping] God, you near strangled me.
ANDERSON: I hope they get you, Charlie. I hope they get the lot of you.
KILMEISTER: No-one's going to get us. No-one's going to do anything over a few blacks.
ANDERSON: Then why are you worried?
KILMEISTER: I'm not worried. It's just that Hobbs won't let it be. Why won't he let it rest? I don't understand him. Anyway, even Hobbs can't do anything if no-one will talk. [pause]
You won't speak against us, Anderson? [Anderson doesn't answer.] Well?
ANDERSON: I don't know.

Let's now turn our attention to William Hobbs already mentioned. Along with Anderson, he is one of the redeeming characters of the story. William Hobbs was an interesting person for his times. Without his persistent, sense of morality and courage we may never have known about the massacre. He swam against the prejudices of the times. Today he would probably be called a whistle-blower. His persistence led to the investigation of the incident by the Police Magistrate, Edward Day. By the time Day left the district he had arrested eleven men for the crime. Of these, six were convicts: Charles Kilmeister, Charles Toulouse, Edward Foley, John Blake, James Parry and James Oates. Two were ticket-of-leave men: William Hawkins and Charles Lamb. Three were ex-convicts: George Palliser, John Russell and to add to the complexity of the situation, John Johnstone, a black man of African descent from Liverpool, England. There was also a twelfth man, John Fleming, who was a ringleader and the son of a local landowner. He managed to escape and was never
punished.

As for many whistle-blowers, not all were welcoming to their efforts. This became true for Hobbs. Enter Henry Dangar – a wealthy landowner and Hobbs’ boss. I’ll now read another extract from my play. It is early October. The trial of the eleven men is pending, Dangar decides to ride to his Myall Creek property to confront Hobbs and to make his feelings known to his overseer.

DANGAR: Well, well, Hobbs it seems congratulations are in order. When I spoke to the Police Magistrate in Musselbrook, he informed me that his visit here had been a most productive. Yes, he appeared most pleased with his catch.

HOBBS: Yes sir, but it was not easy. Many were against him.

DANGAR: And he was wise taking Anderson into protective custody. Anderson will need protection now.

HOBBS: Anderson’s coming forward made it easier. Surprised me, though. I didn’t think the lad had it in him.

DANGAR: Yes, but much of the credit must go to you, Hobbs. It was mainly through your efforts that they were caught. You should be pleased with yourself, too.

HOBBS: I take no pleasure in it, Mr Dangar. I was only doing my duty.

DANGAR: [dropping his smile and suddenly turning on Hobbs] If only you had taken more care in your duties as my overseer.

HOBBS: Sir?

DANGAR: If you had not allowed the blacks to camp on the property this whole situation could have been avoided.

HOBBS: Yes, Sir. But these blacks had caused no trouble, not here, or at the other stations they’d camp. They were known in the district for being peaceable and well-behaved. I would not have allowed them to stay otherwise.

DANGAR: Is there such a thing as a peaceable, well-behaved black? There are to be no blacks on the property and if there are, action is to be taken. You know as well as I do the trouble the blacks have caused.

HOBBS: Not these blacks, Mr Dangar. They were perfectly tame. They even did work for us.

DANGAR: Perfectly tame? Are you sure you were not fooled? The native has the cunning of an animal. He is by his nature deceptive and treacherous. Given time, I’m sure the true nature of these blacks would have revealed itself. You disappoint me, Hobbs, I thought you were a reliable man.

HOBBS: [meekly] Sir.

DANGAR: And why was I not notified of this incident before the Police Magistrate?

HOBBS: I was unable to reach you, Mr Dangar. I thought someone in authority should
know.
DANGAR: I am your authority, Hobbs. As owner of this property your first duty is to me.
   We don't want the law poking around in our affairs.
HOBBS: But we have nothing to hide. And if our men have committed these crimes they
   should be punished.
DANGAR: There are ways of handling such things without involving the law.
HOBBS: I did what I thought was best, Sir
   [Dangar looks at Hobbs a moment, studies him, then sighs.]
DANGAR: Oh well, what's done is done. Perhaps I am being too hard on you. Afterall, I've
   never had reason to complain of your conduct before. Up until now you have been a
   most obedient, conscientious overseer.
HOBBS: [appreciatively] Sir.
DANGAR: Yes, you're a good man, Hobbs. When the Police Magistrate inquired, I assured
   him you were of excellent character.
HOBBS: Thank you, Sir.
DANGAR: And fortunately, even now, all is not lost. You may still have the opportunity to
   make amends.
HOBBS: I don't understand, Mr Dangar.
DANGAR: The trial. There is still the trial, don't forget.
HOBBS: Yes. But I don't see -
DANGAR: Your evidence will no doubt be of great importance to the case.
HOBBS: It's just not my evidence, Mr Dangar, there are others.
DANGAR: But not so important as you.
HOBBS: There's Anderson.
DANGAR: Anderson? A convict? Who will believe the word of a convict against a man of
   such excellent character?
HOBBS: Sir? Do you mean I should perjure myself? I cannot perjure myself, Mr Dangar.
DANGAR: I'm not suggesting that you perjure yourself. I was merely going to suggest that
   you be certain of your evidence. You are human, you can make mistakes. Perhaps
   there is something you've overlooked. Something that may cause you to change your
   mind. Now, our man, Kilmeister, for instance, perhaps -
HOBBS: Sir, I carefully examined Kilmeister's claims and found them without substance.
   Kilmeister is a liar, Sir.
DANGAR: But the overall evidence against these men is slim indeed, Hobbs. Why, there
   aren't even any bodies.
HOBBS: No, Sir. They managed to remove the bodies before the Police
   Magistrate could examine them.
DANGAR: There then, you see. What real evidence is there?
HOBBS: But surely the fact that the bodies were removed only confirms their guilt?
DANGAR: The act of desperate men wrongly accused of a crime. How can you be so certain they are guilty, Hobbs? You don't want to cause innocent men to be punished. Think carefully. If there is even the remotest possibility of doubt in your mind, it is your duty as a conscientious man, to give them the benefit of the doubt.
HOBBS: Sir, I must tell the truth.
DANGAR: Yes, of course you must. Only think over what I have said. It may be in your interest to give deeper thought to the matter.
HOBBS: Sir?
DANGAR: Your term of employment - it expires soon?
HOBBS: Yes, Sir.
DANGAR: Then soon I may no longer require your services. And I would regard it a great pity to lose such a good man.

The Trials
Meanwhile news of the massacre reached Sydney causing a dilemma for the recently appointed Governor. George Gipps, like New South Wales Governors before him, was faced with many problems in the young colony, torn as it was with divisions of class, race and religion: free settler versus ex-convict, Irish versus English, Catholic versus Protestant. Now to add to the Governor’s problems was the issue of white versus black.

To complicate Governor Gipps’ position further he had been recently ordered by London to give equal protection to both blacks and whites. This meant that no longer could both whites and blacks kill each other freely. The law demanded that any transgressor be tried and punished. With this latest massacre at Myall Creek the Governor had to decide if those responsible should be arrested and prosecuted. If found guilty, white men would hang for killing blacks - an almost unprecedented event and one that Governor Gipps feared might provoke an unpredictable, perhaps dangerous, response.

In the following scene Gipps seeks advice from his Attorney-General an Irishman, John Herbert Plunkett, for his advice. For Plunkett equality before the law as well as defeating the power of the establishment was close to his heart.

GIPPS: I am but new to the colony. You know these matters better than I. As Attorney-General, Mr Plunkett, what is your advice?
PLUNKETT: I can only advise Your Excellency that you do your duty. The orders from London are most clear on this point - the Aborigine must be given the same protection as the white. If such a crime has been committed, it must be investigated and those guilty brought to trial.
GIPPS: I agree with you, Mr Plunkett, but would it not be wiser to wait. Feeling against the blacks is strong at present. And I'm afraid that while Aborigines continue to murder
whites, the public will not punish white men for doing the same.
PLUNKETT: The law is the law, it must be applied equally to all.
GIPPS: Yes, the law is the law, but its application is a matter for the most prudent judgement. To take such action now may only increase hostility between the races.
PLUNKETT: [standing] You must take action!
GIPPS: I must, Mr Plunkett? Must I remind you that I am Governor? I asked for your advice, not your command.
PLUNKETT: I intended no disrespect, Sir. I merely wished to impress upon Your Excellency the urgency of the matter. These outrages by both black and white must come to an end. And only firm action by Your Excellency can achieve that.
GIPPS: I know my duty and I will act as I see fit.
PLUNKETT: But Sir, if we delay any longer the situation can only get worse. The colony is growing at a rate the Government cannot control. With every new expansion the Aborigine is further displaced and conflict increased. How can law and order be maintained when the Government lacks effective control? We can only rely on the goodwill of unscrupulous men whose sole motivation is the greed for more land. For too long this colony has been ruled by such men, wealthy men, who have no regard for the rights of others and who have become a law unto themselves. No, Sir, it is not good enough! The Government must assert its authority, the law must be upheld! Otherwise, there will be anarchy.
GIPPS: You speak with passion.
PLUNKETT: Only because I believe that if we are ever to have a free society, there must be equality for all, regardless of race, creed or colour. We are all God's children and equal in His sight.
GIPPS: These are noble sentiments. You are a religious man?
PLUNKETT: I am a Christian. As is Your Excellency.
GIPPS: A Catholic?
PLUNKETT: Yes, Sir. A Catholic is a Christian.
GIPPS: I was not suggesting anything to the contrary. You are very sensitive to the subject, Mr Plunkett.
PLUNKETT: I know many resent having a Catholic as Attorney-General.
GIPPS: I believe you are the first Catholic in the colony to have achieved such a high office?
PLUNKETT: Yes, Sir. And I am sure in the years to come there will be many others who will achieve the same.
GIPPS: No doubt.
PLUNKETT: I am determined that there will. But why do you ask these questions, Your Excellency?
GIPPS: I am not a man of passion, Mr Plunkett, I am a man of reason. When I sought your advice it was to find practical solutions to practical problems. And while I admire your convictions I must know that your advice is based on sound reasoning and not influenced by some sense of injured pride over personal attacks on your character and religion.

PLUNKETT: Sir, I can assure you, I care only for the welfare of the colony. I want what all true Christians want, a society that will not tolerate evil, but pluck it from mens' hearts wherever it exists. And that is why I say we must act now. The squatters and landowners must not be allowed to further their corruption. They and their men must be taught that a black's life is as worthwhile as a white's and that they cannot murder with impunity.

GIPPS: Yes - I agree, but as I have said, there are practical considerations. We must find the best strategy to meet our objectives.

PLUNKETT: You must do something!

GIPPS: It seems you are going to make a habit of giving me orders!

PLUNKETT: They will have you under their thumb! I'm sorry, Your Excellency, but I must speak out.

GIPPS: You are making me angry, Mr Plunkett. I am not a man to be intimidated.

PLUNKETT: Then you must show them, or you will lose all authority.

GIPPS: That's enough, Mr Plunkett! [cooling down] Let us return to the business at hand. And I hope you will conduct yourself in a more reasonable manner. Sit down. [Plunkett sits down. He looks a little indignant.] Now, Mr Plunkett, this report from the Police Magistrate at Musselbrook, concerning an alleged atrocity at Mr Dangar's Myall Creek property - you would advise me to have the Magistrate investigate it?


GIPPS: Good. So be it. But let me warn you - I do this not to please you. I will be under no-one's thumb - including yours. You will see, Mr Plunkett, in this colony, I am the authority.

Now let us consider the opposition camp, those opposing the government’s position. Concern for the fate of those arrested for the Myall Creek killings grew amongst many landowners as it became evident that these men not only faced a trial, but also the prospect of hanging. In response, the squatters of the Hunter River Valley and Liverpool Plains, including Henry Dangar, formed a semi-secret organisation called the Hunter River Black Association – an ironic title given it had nothing to do with black welfare. On the contrary its purpose was to give support to the Myall Creek accused and contribute money for their legal defence, hiring the three best lawyers in Sydney. Of particular note was the chairman of this organisation, landowner and magistrate, Robert Scott. Scott visited the prisoners in gaol and advised them not to keep
together and not to split – extraordinary advice and an extraordinary interference by a magistrate/landowner and one that contributed to the men’s eventual demise.

One of the themes that emerges from the actual Myall Creek incident and is reflected in parts of my play is to do with the competition for political dominance in which human beings become mere pawns in the game. Whilst it is difficult to have sympathy with the Myall Creek killers they did become expendable items in a spiteful power play between landowners and government. Consider the following extract from my play featuring Governor Gipps and landowner Robert Scott.

GIPPS: I do not make the policies, Mr Scott, I merely enforce what my superiors in London decree. And they have seen fit to grant the Aborigine the same protection as the white. Indeed, they have charged me with that responsibility for their protection.

SCOTT: London! What does London know of the situation here? They will hold up the development of this colony with their mawkish sentimentality over these primitives.

GIPPS: That Sir, is something you must discuss with London. I have my orders - I cannot and will not disobey them.

SCOTT: What we need in this colony is leadership, true leadership! Someone with initiative and determination. Someone who is man enough to do what needs to be done, without wincing, and without all this womanly guff about the protection of murdering savages. I had hoped you would have been such a man. But I see I was wrong.

GIPPS: Is there no-one in this colony who will not tell me how to do my job?

SCOTT: If you would do your job properly there would be no complaint. All we ask is for a little protection.

GIPPS: Mr Scott, I cannot give you the protection you require. You have placed yourself outside my control. Even if I had ten times the soldiers I could still not guarantee your safety. It has been your greed for land that has led to this predicament.

SCOTT: Sir, I protest! The wealth of the colony depends on the securing of new grazing lands.

GIPPS: The wealth of the colony, Sir? The wealth of your own pockets.

SCOTT: I did not come here to be insulted.

GIPPS: You and a few others have tied up all the land in your district and you want more.

SCOTT: Men of enterprise must have incentive.

GIPPS: Yes, but when will you be content?

SCOTT: [He stands.] It is clear, Your Excellency, that I am only wasting my time. You
refuse to take this matter seriously.

GIPPS: You misjudge me, Mr Scott. I take this matter very seriously.

SCOTT: You'll learn, like your predecessors, that we landowners are not to be played with. We are not without our influence.

GIPPS: Is that a threat?

SCOTT: It is a simple fact.

GIPPS: Another simple fact. You seem very fond of simplicity, Mr Scott.

SCOTT: On such occasions I believe in plain speaking.

GIPPS: I have been very patient with you. I have heard your request, I have considered it carefully and I have informed you of my decision.

SCOTT: I am not satisfied with your decision. I strongly urge you to re-consider. If Your Excellency refuses to take action against black outrages in our district then we will be forced by circumstances to take the law into our own hands.

GIPPS: That Sir, would be a fatal error.

SCOTT: I speak, of course, not for myself or the other landowners. We are law abiding citizens, but our servants, Sir, they are mostly convicts and ex-convicts, undisciplined men, lacking the restraint of their masters.

GIPPS: If that is the case, then I advise you to warn your men that if they are convicted of murdering an Aborigine, they will hang. And if, their masters should, through some lapse in their morality, encourage their men to commit such crimes, then they too, shall share their fate.

SCOTT: Is that a threat, Sir?

GIPPS: No, Sir - a simple fact.

Now for the actual trials. There were two trials dealing with the Myall Creek massacre. The first trial started 15th November, 1838 and consisted mainly of eye-witness accounts of the aftermath of the massacre and the identification of those who took part. One difficulty faced by the Crown in prosecuting the eleven men was the fact that despite the evidence of witnesses that twenty-eight Aboriginal people had been killed and their bodies burnt, only some parts remained from various bodies that were perhaps identifiable. In the first case, therefore, the eleven prisoners were charged only with murder of the large Aboriginal man known as "Daddy", parts of whose body were reasonably but not conclusively recognisable.

Amongst those who gave evidence were Anderson and Hobbs, who spoke as witnesses for the Crown, while Henry Dangar spoke on behalf of the defence.

After considering the evidence for only fifteen minutes the jury returned their verdict - not guilty - much to the delight of many in the courtroom. One of the jury was later reported to have said: "I would never consent to hang a white man for a black one. I knew well they were guilty of murder, but I, for one, would never see a white man suffer for shooting a black."
The happy mood in the courtroom soon changed, however, when Attorney-General Plunkett announced that there would be a second trial - for another one of the twenty-eight slaughtered victims. Back then, unlike today, in an incident of multiple homicide, you could only be tried for one murder at a time. Usually, therefore, prosecutors chose one murder victim out of the many that would best achieve a conviction. Daddy was considered to be that victim. That Plunkett pursued a second trial of another victim, that would rely on much the same evidence, went against the conventions of the times and was seen by many as a miscarriage of justice – an example of “double jeopardy”. Not surprisingly Plunkett’s announcement of a second trial rocked the entire colony with most outraged by the decision.

At this point it is necessary to note that there was an eye-witness to the Myall Creek massacre. He was an Aboriginal stockman named Davey. Davey was employed at Myall Creek. He was not a member of the tribe that was slaughtered and as an employee of Henry Dangar was not included as a victim in the massacre. Davey secretly witnessed what happened at the stockyards and later reported the massacre events to Hobbs and the investigating police magistrate Edward Day. Plunkett wanted to use Davey as a witness at the trials but was prevented from doing because Davey was not a Christian and there were issues regarding his taking oath on the bible. In order to participate, he would have to be somehow tutored in Christianity. Plunkett thought this could be achieved, but before this could happen Davey disappeared. It was rumoured he was murdered to prevent his testimony.

The second trial began 29th November. Unlike the first, only seven of the eleven men stood trial, Attorney-General Plunkett giving the seven the opportunity to call the other four men as witnesses to testify on their behalf. This time the men were charged with the murder of the Aboriginal child, Charley, or of an Aboriginal child unknown. Although the second trial presented similar evidence to the first Plunkett was able to take advantage of the fact that the accused did not avail themselves of the opportunity to have the four witnesses give testimony on their behalf. Plunkett hoped the jury would see this as an indication of guilt; that the accused feared what they might say. Also Plunkett pressed home an effective attack on the character of the defence witnesses, notably Henry Dangar, whose past dismissal from an important government position he once held was used to undermine his credibility before the court. This time once the jury returned, they delivered a verdict of guilty. In due course the prisoners were sentenced to death.

Despite petitions for mercy the seven men were executed on 18th December, 1838. It was widely believed at the time that the government was determined to make an example of these men. The remaining four never faced trial. The reaction was too strong. Besides, as Governor Gipps was later to reveal in a report - the law had made its point.

To conclude, let us see how some of the characters of our story fared:

Gipps bitter fight with squatters and landowners over land was to continue for several years. His health broke and he developed a serious breathing disorder. He returned to England in 1846 and died a year later.
John Plunkett continued for many years as Attorney-general and eventually entered politics. He continued to advocate for social reform. Despite his many years in high profile positions, he died relatively poor, leaving his widow in financial hardship. He has largely been forgotten in Australian history.

Landowner and chairman of the Hunter River Black Association Robert Scott experienced mixed fortunes, while Henry Dangar continued to prosper.

As a result of his involvement in exposing the Myall Creek massacre William Hobbs found it difficult to find employment for many years.

George Anderson continued to serve his time as a convict in various forms of protective custody. He was finally pardoned eight years after the trials. His ultimate fate is unknown.