

were it not for the infamous conduct of
menials, the respectable settlers would
be found efficient auxiliaries in ameliorating
the condition of the aborigines. In one
thing, however, the settlers agree, namely
that to restrain the Blacks from annoying
them, and vice-versa the Whites, the Black
Mounted police to patrol the border
would be found of utility. and
it is my opinion that under existing
circumstances. Itinerating clergymen
would be the most effectual means
for conferring lasting benefits
on the white inhabitants of the
rural Districts.

The

The civil protection as well as the moral
and social improvement of the Aborigines
being one of the benevolent objects of
Her Majesty's Govt. in creating this
Department, the duty necessarily devolves on
me to bring under notice such points as
the peculiar circumstances of the case seem
to require, and efficient civil protection
is a point of such vast importance to the
welfare and existence of the Aboriginal Natives
that I feel I should be guilty of a
dereliction of duty were I to omit bringing
it forward on the present occasion, for
although

although Christian instruction be paramount
civil protection is indispensably requisite to
the due conservation of the aborigines —
whilst the greater work of their reformation
be carried on. All who have heretofore, and
who are now taking an interest in the affairs
of the aborigines, missionaries, and others,
have deplored the want of this desideratum.

In the second clause of the instructions
contained in the R. H. Hon^{ble}. the Secy of States
Despatch. Vide margin. this important subject
has been humanely introduced, and it has
been my ardent desire and strenuous endeavour

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 encroachment on their
"property, and from acts of
"cruelty, oppression, or
"injustice, and faithfully
"represent their wants, wishes,
"or grievances, if such, repre-
"sentations be found necessary
"through the Chief Protector

to the Government of the Colony. For this purpose
it will be desirable to invest such Protector with
a commission as Magistrate. To carry, as far as the means afforded, these
benevolent designs into effect, but I
deeply lament that hitherto I have been
unable from the legal disabilities of the
aborigines, to do more, "than protect them
as far as I was able by my personal
influence, from acts of Cruelty, Oppression,
and Injustice," representing their wants, wishes,
and grievances, when such was necessary, to
the Govt. of the Colony." And this is all
that my assistants have been able to
accomplish. - Already appalling collisions
have happened between the White and
Aboriginal

aboriginal Inhabitants, and although
instances, it is possible, have transpired
where Natives have been the aggressors
yet it will be found that the largest majority
originated with the Europeans. The lives
of aboriginal natives known to have been
destroyed, are many, and if the testimony
of Natives be admissible, the amount
would be great indeed, but even in cases
where the Aborigines are said to be the
aggressors, Who can tell what latent provocation
existed for perpetrating it. Of the numerous
cases that could be cited, the following from

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A recent Journal of an Asst. Protector,
Mr. Parker, of the Gaden, will suffice
to show the insurmountable difficulty.
I may add, the impossibility of bringing
the guilty parties to justice, for 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.

Indeed the want of a Code suited to the
Aborigines is now so strongly felt and of
such vital importance to the welfare and
existence of the Natives, that I earnestly
trust

trust that this important subject may be
brought under the early consideration and
notice of Her Majesty's Government.

The following is the Extract from Mr Packer's
Journal, referred to. —

"On the 8th. I proceeded to the "March 41.
Pyrenies to investigate the circumstances — "
connected with the Slaughter of several "
Aborigines by a Mr. Francis. On the 9th "
and 10th. I fell in with different parties "
of Nations. From the last of these I obtained "
some distressing Statements as to the Slaughter "
of the blacks. They gave me the names "
of

" of seven individuals shot by Mr. Frances
" within the last six months. I found,
" however, no legal evidence attainable.
" The only persons present in the last and
" most serious affair with the Aborigines, which
" took place in December of last year, were
" Frances, — a person named Downs and a
" stock keeper in Melbourne. — No other
" admissible evidence of the death of these
" poor people can be obtained than what
" Frances's written statement conveys. In
" that he reports that he and the persons
" before named went out in consequence of seeing
" the

the bush on fire, and fell, in sudden, with
some Nations, on whom they fired, and
killed four. The Nations say six
were slain, and their information on that
point is more to be depended on. - Owing
to the legal disabilities of the Aborigines
this case must be added with many others
which have passed without judicial notice.
I cannot, however, but wish that Squatting
licenses were withheld from persons who
manifest such an utter disregard of
human life as Mr. Frances, even on his
own shewings, has done. -

And in this latter sentiment, under existing
circumstances

circumstances I most cordially agree.

In Frances case the perpetrator admits his having shot four Aborigines, and for aught that is shown to the contrary it was an unprovoked aggression.

The Nations whose testimony Mr Parker states, can be relied upon, affirm that Six were slain, and then within the brief period of Six months.

In my last Expedition I visited the country of the "Barconedets" the tribe attacked by "Frances." of these I found a few sojourning with the "Pitbullies"

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a people inhabiting the country near
Mt. Zero, the Northernmost point of
the Scampians. These persons complained
greatly of the treatment they had received
and confirmed the statement made to
the Sub Protector by the other Natives.

The following are a few of the
collisions from authentic documents brought
under the notice of this Department that
have happened between Settlers and Aborigines
and are respectfully submitted for the
information of the Government.

Cases.

Charles Wenge and others.

June 40. Five natives killed and others wounded
at the Grampians.

Aylward and others

June 40. Several natives killed and others wounded
at the Grampians.

In this case Aylward deposed "that
"there must have been a great many wounded
"and several killed, as he saw blood upon
"the grass, and in the tea tree two or three
"dead bodies."

Messrs. Whitys Collision
1st Collision.

March 40. William Whyte deposed "that thirty natives
"were present, and they were all killed

Darlot

One native shot.

but
(over)

but two, and one of these it is reported
died an hour after of his wounds. —

Two Natives shot near Portland Bay
by the servants of the M^{rs}. Kenty. —

March. 40.

Hutton and Mounted Police.

The written report of this case states, "that
the party overtook the Aborigines at the
Junction of the 'Campaspe', they fired
and it is stated that to the best of the
belief of the party, five or six, were
killed. In the opinion of the Sub Protector,
a greater number were slain." —

July 39.

Messrs. Winters & others.

On this occasion five Natives were killed

Oct. 40.

One black shot by "Francis". —

Aug 40

Munroe and Police.

Aug 40. Two blacks shot and others wounded.

The following. from Lloyd's deposition

Aug. 40. "We fired on them, I have no doubt
"some were killed. there were between
"forty and fifty Natives."

By persons unknown.

Aug 40 A native of the Colijian tribe. killed
by white persons.

Messrs. Weyge and others.

Three Natives killed and others wounded.

1839. Names of Taylor and Lloyd are mentioned
as having shot a black at Lake Colaco.

Apr. 40. Whites second. Collision

Allans base
Two Natives shot.

Taylor was Overseer of a Ship Station
in the Western District and was notorious
for killing Natives. No legal evidence
could be obtained against this nefarious
individual. The last transaction in
which he was concerned was of so
atrocious a nature, that he thought fit
to abscond, and he has not been heard
of since. No legal evidence was attainable
in this latter case. There is no doubt
but the charges preferred, were true for
in the course of my enquiries on my
late Expedition, I found a tribe or
section of the Succorts totally extinct
and it was affirmed by the Natives
that

that Taylor has destroyed them. The
tribes are rapidly diminishing. The
"Colijans" once a numerous and powerful
people inhabiting the fertile region of
Lake "Coluc" are now reduced, all ages
and sexes, under forty, and these are
still on the decay. The Sarcoots inhabiting
the country to the West of the great Lake,
"Carazgermite," once a very numerous and
powerful people, are now reduced under
sixty. But time would fail and I fear
it would be deemed too prolix were I to
attempt to particularize in ever so small a
degree, the previous state, condition, and
declension of the original inhabitants of
so extensive a Province.

The

The few cases above enumerated are
interposed confirmatory of previous statements
and in the hope that some measure may
be adopted for preventing in future these
disproceedings, and for the due conservation
of the Aboriginal Inhabitants.

Of their inability to afford protection, or
administer Justice to the Aboriginal Nations
the Apt. Protectors have invariably complained
and have urged that the subject might be
brought under the early notice of the
Government. - I also have felt myself
powerless, and although frequently applied
to for protection, and for Justice I have
felt unable in some cases owing to the
legal disabilities of the Aborigines to do
so. The following Extract of a
communication

from the Asst. Protector of the Western District
in reference to the Messrs Whytes second
collision. will further tend to elucidate this
subject.

"The conduct of the Messrs Whyte cannot
"in my opinion be for one moment a question
"but on the contrary is highly reprehensible
"and should be visited with the expressed
"displeasure of the Government: if for
"want of sufficient evidence they cannot
"be held liable for the reputed infringement
"of those laws which protect the Aborigines.

"They entrust their property to the most
"reckless and abandoned characters. for
"with scarcely an exception, no other
"description of person is to be picked up
"as servants, in this District."

all

All the before mentioned cases, with few exceptions happened in one District the Portland Bay or Western, and the cause assigned was the taking Sheep. Further extracts might be adduced but as they are mostly of a similar tendency, excepting the case of poisoning, now under investigation, In the Portland Bay District their introduction would be tautological.

Although the legal disabilities of the Natives have impeded the efforts of this Department, and although the Natives in consequence have sustained much serious injury, it is nevertheless true that a much greater amount of mischief would have happened had it not been for the formation of this Department. With regard to any measure to be introduced for meliorating the condition of the Natives, itinerating

itinerating agents are indispensable.

I am aware of the danger, difficulty
and privation, attendant upon erratic life
especially with Savage tribes, and on
which account therefore is it the more
desirable that those who from lengthened
probation have proved their fitness, should
be encouraged and every inducement held
out to ensure a continuance of their services
and prevent the relinquishment of their
appointments, especially as much difficulty
has ever been experienced in obtaining suitable
persons for such offices. - Improving the
condition

condition of uncivilized tribes is a work of
great difficulty, and to ensure success a
slow and cautious process is required, for
we can hope for lasting benefits, pre-
judices and errors of centuries have to be
encountered and removed, and for the accom-
-ment of which, much forbearance and circumspection
must be had recourse to. In one thing, however,
I feel certain, that if efficient agents be
employed, and proper measures be adopted,
the undertaking is by no means un-
hopeless one, and there is every reason to hope, that
under the auspices of a kind and beneficent
providence

Province; the benevolent designs of Her
Majesty's Government in the amelioration
of the Aboriginal Tribes, will ultimately
be attended with every possible success.

I would briefly add that the measures
hitherto pursued by this department can
only be viewed as preparatory; my own
labours have been of that character. Already
I have travelled over between five and
six thousand miles of Country and have
personally conferred with nearly all the
tribes of this extensive Province. The
mass of information thus obtained
requires

requires to be verified, and matured - and
which will necessarily require time to
accomplish. And although much labour
and anxiety was experienced on those
occasions, it was nevertheless necessary that
I should personally visit, in their native
localities, the original inhabitants, the
better to enable me rightly to discharge
and exercise, those functions with which
I have had the honor to be entrusted.

I have the honor to be

Sir

Your most obed^t. servant.

J. A. Robinson
C. P.