

# *Land Hunger: Melbourne, 1837*

*By Glen Foster*



*An historical game using role-play and cards for 4 players  
from upper Primary school to adults.*

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Port Fairy Historical Society

30 Gipps Street, Port Fairy. 3284.

Telephone: (03) 5568 2263

Email: [pfhs@datafast.net.au](mailto:pfhs@datafast.net.au)

Postal address:

Port Fairy Historical Society

P.O. Box 152, Port Fairy, Victoria, 3284

Australia

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Requests and enquiries for further authorisation should be addressed to Glen Foster:

email: [gfooster2@me.com](mailto:gfooster2@me.com).

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*The print on the front page is Raymond Lindsay's drawing of the first Melbourne land sale showing Robert Hoddle standing on a tree stump to take bids, while an official records the results and takes deposits. Pencil and wash sketch in the Mitchell Library, State Library of New South Wales.*

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# INTRODUCTION

## *'Fun with Local History' Series*

An education series exploring European settlement in Australia through game playing and hypothetical scenarios, incorporating factual events and real characters from the times. The series combines role playing scripts with card games to explore key aspects of the life and times of the early European settlement of Victoria in the first coastal towns of Melbourne, Portland, Port Fairy and Warrnambool.

The series is consistent with the Victorian and Australian Curricula for History. In 'Land Hunger: Melbourne, 1837', apart from Robert Hoddle, the characters' lines in the script are drawn from primary source material, being direct quotes taken from letters written by the characters at the time. Teachers may also find the contents useful in other subject areas such as Drama, English, Geography and Mathematics.

The usual poetic license has been taken in the development of the scripts. Crossword puzzles based on each scripted game are provided. For more information about this material contact Glen Foster at: [gfooster2@me.com](mailto:gfooster2@me.com)

## *About the Game – Land Hunger: Melbourne, 1837*

The setting of this game is in the Port Phillip District of Melbourne in 1837. The aims of the game are to:

- find out about some of the events leading up to the first sale of land in Melbourne;
- purchase as many allotments during the auction as possible; and
- eliminate the other players and win the game - each player has an equal chance of winning the game.

The script is organised into four Acts. It is not meant to represent a direct conversation between the characters – their lines have been taken from letters written at the time and do not necessarily follow on from each other nor are all their lines chronologically ordered. However, the characters were all writing about the same related events at the time of the settlement of Melbourne. Governor Bourke's Proclamations are split into short sections and placed between the excerpts from other characters' letters, indicated by '...'. The source of each character's lines is identified next to the names of the characters.

The script can be read without playing the card game if desired. However, if the script is read out in a group situation, each player takes on the role of one explorer or Government official in each Act. **Each character's lines are colour-coded to help players see when it is their turn to speak.** Players can choose one of 4 colours used in the 4 Acts – green, yellow, blue or purple – and role-play the character whose lines are coloured with their choice. Alternatively, players may want to ignore the colours and choose characters with different background colours in each Act. The card game is explained on pages 6 and 7.

Before reading the script, it would be helpful if readers are familiar with the early history of Melbourne - a brief introduction is provided on pages 7 and 8. In addition, many short histories of the settlement of Melbourne can be found on the internet, such as: [https://en.m.wikipedia.org/wiki/History\\_of\\_Melbourne](https://en.m.wikipedia.org/wiki/History_of_Melbourne)



## PLAYERS

### *List of characters, showing the background colours of their lines*

#### Act 1 – Governor Bourke’s Proclamation, 26<sup>th</sup> August 1835

- **Narrator: Government Surveyor and Auctioneer** – Robert Hoddle\*
- **Governor of New South Wales** – Major General Sir Richard Bourke, K.C.B.\*
- **Explorer** – John Batman\*
- **Explorer** – John Fawkner\*

#### Act 2 – Preparations for official settlement of Port Phillip

- **Narrator: Government Surveyor and Auctioneer** – Robert Hoddle
- **Governor of New South Wales** – Major General Sir Richard Bourke, K.C.B.
- **Secretary of State for the Colonies** – Lord Glenelg (Charles Grant, first Baron Glenelg)\*
- **Police Magistrate of Campbelltown** – George Stewart

#### Act 3 – Governor Bourke’s Proclamation, 3<sup>rd</sup> May 1836

- **Narrator: Government Surveyor and Auctioneer** – Robert Hoddle
- **Governor of New South Wales** – Major General Sir Richard Bourke, K.C.B.
- **Explorer** – John Wedge\*
- **Police Magistrate of Campbelltown** – George Stewart

#### Act 4 – Survey issues prior to the first sale of Melbourne allotments, 1<sup>st</sup> June 1837

- **Narrator: Government Surveyor and Auctioneer** – Robert Hoddle
- **Police Magistrate of Port Phillip** – Captain William Lonsdale\*
- **Deputy Surveyor General of New South Wales** – Samuel Perry\*
- **Government Assistant Surveyor** – Robert Russell\*
- **Governor of New South Wales** – Major General Sir Richard Bourke, K.C.B.

\* The Australian Dictionary of Biography provides detailed information about these colonists: [www.adb.anu.edu.au](http://www.adb.anu.edu.au)

# PLAYING THE GAME

## *Preparation*

- The game commences with players choosing their character in the first Act and reading the script.
- Players may like to dress in appropriate clothing to reflect their particular characters' personas:
  - for example, wear an appropriate costume, hat, wig, or draw or wear artificial facial hair.
- Prepare name tags for each character in the script.
  - Players wear a name tag denoting their characters in each Act to help other players recognise the character they are role-playing.
- If the card game is going to be played, players make sure they understand how to use the Money cards and how to purchase the Land cards before beginning to read the script – see explanations below.
- The script can be:
  - read in groups, or performed in front of an audience from the beginning to the end without interruptions or:
  - stopped at any point and once players have calculated and recorded which Money cards they have and the Land cards they have purchased, the deck of cards can be placed back into their box and put to one side until the game is resumed.
- Players can share a script/ipad to read from (ie one script/ipad between two players) so there are less materials on the table.
- Alternatively, the card game can be played without reading the script.

## RULES OF THE CARD GAME

### *Equipment*

One full deck of fifty-two normal playing cards plus one Joker card.

### *Introduction*

Players sit around a playing surface, for example, a table top or floor space.

Robert Hoddle organises the game and enforces the rules.

Throughout, players are required to use cards – Robert Hoddle separates the deck of cards into two piles:

- number cards (2 – 10, ie 36 cards) are used as money; and
- face cards: Jacks, Queens, Kings plus Aces and one Joker (ie 17 cards) are used as land values.

The suits of cards are ranked in importance: from Diamonds (**lowest**), then Hearts, Clubs, Spades (**highest**).

Robert Hoddle shuffles the seventeen Land cards and places them **face-down** in a pile.

Robert Hoddle then shuffles the Money cards and deals **five** cards to each player, including to himself.

The bidding process first begins on page 11 when Robert Hoddle says in the script: “**Start your bidding!**”

All players, including Hoddle, bid for one Land card in the following way before continuing to read the script:

- Each player chooses one of their Money cards and places it **face-down** in front of them.
- In turn, each player then turns over their Money card **face-up** on the playing surface.
- The player with the highest bid takes the top card from the pile of Land cards.
  - *Note: If two or more players play a card with the same number, which is the equal highest bid, the card with the higher ranked suit wins the bid, for example, a '9 of spades' wins over a '9 of clubs'.*

Robert Hoddle collects the Money cards played and puts them to one side in a pile.

The process of bidding is repeated a further **four times** whenever Robert Hoddle says “**Start your bidding!**” until all players have played their **five** Money cards.

Robert Hoddle collects the Money cards, shuffles them and deals a new set of **four** cards to each player.

The shuffling and dealing of **four** Money cards to each player is repeated a further **two times**.

The bidding process continues until the final Land card has been auctioned.

At the end of the script, **seventeen** Land cards will have been auctioned.

Players retain the Land cards they have purchased until the end of the script and use them in the Elimination stage to find the winner of the game.

## A BRIEF HISTORICAL INTRODUCTION

*The following introduction comprises relevant extracts taken from ‘Historical Records of Victoria’.*

“It should be remembered that Port Phillip was merely one far-flung outpost in a fast-developing system of British imperial expansion around the world. Despite primitive methods of communication, empire-builders of the Colonial Office in London succeeded for many years through their local officials in imposing their will upon a vast diversity of people and places. Private whaling stations had been illegally formed at Portland Bay in the early 1830s, supplemented in 1834 by Henty family’s sheep-grazing enterprises at several locations around the primitive harbour. A greater flood of illegal settlement was already taking place around the previously scorned coastal lands at Port Phillip Bay.

Port Phillip grew so rapidly that everything necessary for the infrastructure of colonial society – roads, mails, customs, gaols, surveys, land sales, and so on – had to be created from the bare ground in almost no time at all. Some pioneers shipped flocks and shepherds to take possession of vast acreages supposedly allotted to them by ‘The Port Phillip Association’ (a group of Tasmanian businessmen wanting to form a settlement on Port Phillip Bay). They were followed by settlers outside the Association, who simply squatted on whatever empty land took their fancy. Governments were forced to intervene and establish a minimum framework of law and order, to prevent social anarchy and possible murderous clashes between opposing races and factions. The Governor of New South Wales, Sir Richard Bourke, needed to establish permanent official authority in Port Phillip. Seeking a man of forceful yet unblemished character and equable temperament, Bourke decided to appoint William Lonsdale, a 36-year-old captain as Police Magistrate of the district. The survey and mapping of the new district of Port Phillip from its inception in 1836 was part of a huge effort made by British officials to delineate the little-known continent of Australia.

The rapid but disorganised growth of private settlement along the Yarra River led to early requests for the survey and sale of town allotments, on which settlers would be able to erect permanent buildings without fear of future disturbance. A petition from thirty-five graziers in Van Diemen’s Land set out the difficulties of emigrating with families and stock to a place where scarcely any buildings or supplies existed. They also asked for land auctions to be conducted on the spot at Port Phillip instead of Sydney. Governor Bourke replied that town allotments would be sold after survey, but that sales must be conducted in Sydney.

However, when he visited Port Phillip three months later, he realised how difficult it would be for most settlers to travel to Sydney. He agreed to have the first sales conducted in Melbourne and Williamstown.

Major Thomas Mitchell, promoted to Surveyor General of New South Wales in 1828, was in theory responsible for overseeing the survey of Port Phillip from 1836 onwards, but was often absent on exploration or overseas trips. In order to conduct the Survey Department's affairs while he was absent, Mitchell relied on Deputy Surveyor-General, Captain Samuel Perry.

In his selection of surveyors and assistants for Port Phillip, Perry went astray in his judgement of which men could be trusted to do their work without supervision and work under difficult and sometimes dangerous conditions. Perry's first mistake was to entrust control of the Port Phillip survey to the inexperienced and dilettantish Robert Russell, who did not possess the ambition or driving force necessary to control his juniors and push on with the task against all difficulties. After Russell's dismissal, the experienced surveyor Robert Hoddle began the job again with considerable vigour and enthusiasm.

Results of the first sales on 1 June 1837 exceeded all expectations. One hundred allotments of nearly half an acre each were sold in Melbourne and seven allotments were sold at Williamstown. On 2 June, the Police Magistrate for Port Phillip, William Lonsdale, was able to report that every allotment offered in both localities had been sold, realising a total of £3,842 – an average of £36 per allotment. The upset price, which is the lowest price at which a property may be sold, was only £5 per allotment.

It became obvious that the earlier settlements of 1803 (near Sorrento) and 1826 (at Westernport Bay) need not have failed. All that was required was enterprising settlers of the calibre of Henty and Batman, willing to risk pushing on from unpromising landing spots into the beckoning wilderness. The success of the Port Phillip settlement from 1836 onwards provides one of history's clearest examples of the total interdependence of private and public interests. Rarely has the importance of **land hunger** and profit motive in successful pioneering been better demonstrated."

## ***The First People***

Before reading the script and playing the card game, it is also important to acknowledge that there were people already living in the Port Phillip and Yarra valley regions before Europeans arrived - the Kulin Indigenous People, consisting of three tribes: the Wurundjeri, Boolwurrung and Wathaurong.

Archaeological evidence suggests the Indigenous people arrived in Australia approximately 40,000 years ago. However, recent evidence suggests that the time of their arrival might have been much earlier, at 65,000 years ago.

The Indigenous people were referred to as blacks and Aboriginal natives by the characters at the time. These terms are, generally speaking, not acceptable today.

# LAND HUNGER: MELBOURNE, 1837

## Act 1 – Governor Bourke’s Proclamation, 26<sup>th</sup> August 1835

### Robert Hoddle:

Good morning ladies and gentlemen, welcome to Melbourne, on the banks of the Yarra Yarra River. My name is Robert Hoddle. On this day, June 1<sup>st</sup> 1837, I shall be conducting the first land sales here in our recently named township of Melbourne in the Port Phillip District. But firstly, as is our custom, join with me as we pay our respects to, and salute, King William. God save the King!

### All players – standing and saluting:

King William ... Long live the King!

### Robert Hoddle:

And we also acknowledge the significant contributions made by His Excellency, our Governor, Major General Sir Richard Bourke K.C.B, who in March, earlier this year, graced us with his presence here.

### All players – standing and saluting:

Hear! Hear!

### Robert Hoddle:

As I auction the allotments this morning I shall be giving you a brief summary of some of the circumstances and issues that led to the selection and survey of this site for the town of Melbourne. And you shall hear excerpts from some documents written by our prominent explorers and officials. To begin, the Port Phillip District of the British colony of New South Wales lay practically uninhabited by white men until the 1830s. The Yarra Yarra River was first seen by white men on 2 February 1803. On that day Charles Grimes led a small party overland to its outlet. Grimes noted on his map: ‘Up this river above where it is fresh the soil is very good on the hills and the low points very rich soil’. On 3 June 1835, John Batman sailed up the Yarra Yarra River, noting in his journal, ‘The land is of the best description, equal to any in the world’. And on 8 June, ‘This will be the place for a village’.

### John Batman – to Sir George Arthur (Lieutenant-Governor of Van Diemen’s Land), 25 June 1835:

I have the honour of reporting to your Excellency the result of an expedition undertaken by myself at the expense of, and in conjunction, with several gentlemen, to Port Phillip, on the south-western point of New Holland, for the purpose of forming an extensive pastoral establishment, and combining herewith the civilisation of the native tribes who are living in that part of the country.

### Robert Hoddle:

Sir Richard Bourke had to consider how to handle citizens who might be trespassers on the King’s domain, noting, ‘it is not to be disguised that the Government is unable to prevent it’. On 26 August 1835, he issued a Proclamation after receiving a report of a treaty.

**Governor Bourke – to the Colony, 26 August 1835:**

Attention please ... by Jove! WHEREAS, it has been represented to me, that divers of His Majesty's subjects have taken possession of vacant Lands of the Crown within the limits of this Colony, ...

**John Batman – to Sir George Arthur, 25 June 1835:**

It occurred to myself, and some of the gentlemen who are associated with me, opening a direct friendly intercourse with the tribes in the neighbourhood of Port Phillip, and obtaining from them a grant of a portion of that territory, might the resources of this colony be considerably extended and lead to the civilisation of a large portion of the Aborigines of that extensive country.

**Governor Bourke – to the Colony, 26 August 1835:**

... under the pretence of a treaty, bargain, or contract, for the purchase thereof, with the Aboriginal Natives; Now therefore, ...

**John Batman – to Sir George Arthur, 25 June 1835:**

In pursuance of arrangements based upon these principles I proceeded on the 12<sup>th</sup> day of May, 1835, in a vessel from Launceston, accompanied by seven Sydney natives, and proceeded to Port Phillip, on the south-western extremity of New Holland, where I landed on the 26<sup>th</sup> day of May.

**Governor Bourke – to the Colony, 26 August 1835:**

... I the Governor, in virtue and in exercise of the power and authority in me vested ...

**John Batman – to Sir George Arthur, 25 June 1835:**

On the evening of our arrival at Port Phillip, we saw the native fires at a distance of about 5 miles. I then made my arrangements for the purpose of opening an intercourse with the natives.

**Governor Bourke – to the Colony, 26 August 1835:**

... do hereby proclaim and notify to all His Majesty's subjects and others whom it may concern ...

**John Batman – to Sir George Arthur, 25 June 1835:**

My natives made to them some friendly signals and explained to them I had come in a vessel from the other shores to settle amongst them, and to be upon friendly terms and would protect them.

**Governor Bourke – to the Colony, 26 August 1835:**

... that every such treaty, bargain and contract with the Aboriginal Natives as aforesaid ...

**John Batman – to Sir George Arthur, 25 June 1835:**

After the strongest assurances of my sincerity and friendly disposition, and that no harm should be done to them, they then proceeded to the huts, where I gave them a pair of blankets each, tomahawks, knives, scissors, looking-glasses, and I affixed round the neck of each woman and child a necklace. They appeared highly gratified and excited and the fullest confidence existed.

**Governor Bourke – to the Colony, 26 August 1835:**

... for the possession title, or claim to any Lands lying and being within the limits of the Government of the Colony of New South Wales, ...

**Robert Hoddle:**

Ladies and gentlemen, what am I bid for the first parcel of land in Melbourne. **Start your bidding!**

**John Batman – to Sir George Arthur, 25 June 1835:**

The chiefs appeared most fully to comprehend my proposals, and much delighted with the prospect of having me to live amongst them. I then explained to them the boundaries of the land I wished to purchase, and which are defined by hills ... and the limits of the land purchased by me are defined in the chart which I have the honour of transmitting, taken from my personal survey.

**Governor Bourke – to the Colony, 26 August 1835:**

... as the same are laid down and defined by His Majesty's Commission; ...

**John Batman – to Sir George Arthur, 25 June 1835:**

The deed was most carefully read over and explained to them by the two interpreters, so that they most fully comprehended its purport and effect. The three principal chiefs and five of the subordinate chiefs then executed each of the deeds, and they each delivered to me a piece of the soil, and understanding that it was a form by which they delivered to me the tract of land.

**Governor Bourke – to the Colony, 26 August 1835:**

... that is to say, extending from the Northern Cape or extremity of the coast called Cape York in the latitude of ten degrees thirty-seven minutes south, to the southern extremity of the said Territory of New South Wales, or Wilson's Promontory, ...

**John Batman – to Sir George Arthur, 25 June 1835:**

And I confidently trust that the British Government will duly appreciate the treaty which I have made with these tribes, and will not in any manner molest the arrangements which I have made. But that I shall receive the support and encouragement of not only the local Government, but that of the British Government, in carrying the objects into effect.

**Robert Hoddle:**

Ladies and gentlemen, what am I bid for the second parcel of land. **Start your bidding!**

**John Fawkner – to Sir Richard Bourke, 7 October 1836:**

This memorial respectfully brings before your notice the claim of an humble Individual. Early in 1835 I purchased the schooner *Enterprise* in order to survey Western Port, and Port Phillip, to fix upon an eligible site, to commence a New settlement, and in July and August, surveyed both the Harbours. The spot fixed upon, is by the side of a fresh water river, at the Head of Port Phillip Bay.

**Robert Hoddle:**

John Wedge, a partner in the Port Phillip Association, sailed up the Yarra Yarra in September 1835 with John Batman's brother Henry and others. They found Fawkner's ship lying at anchor and his men in possession of land already claimed by the Association. Fawkner's men refused to leave. Later, Batman was able to persuade Fawkner to leave after payment of a few pounds compensation.

**Governor Bourke – to the Colony, 26 August 1835:**

... in the latitude of thirty-nine degrees twelve minutes south, ...

**Robert Hoddle:**

Ladies and gentlemen, what am I bid for the third parcel of land. **Start your bidding!**

**John Fawkner – to Sir Richard Bourke, 7 October 1836:**

At this Period Messrs Batman and Company, had some men, on Indented Head, but no Europeans had attempted to settle where I had fixt upon.

**Governor Bourke – to the Colony, 26 August 1835:**

... and embracing all the country inland to the westward, ...

**John Fawkner – to Sir Richard Bourke, 7 October 1836:**

In order to obtain peaceable and friendly possession I followed the plan adopted by Messrs Batman and Company and purchased a Tract of Land from the Aborigines, upon which I settled.

**Governor Bourke – to the Colony, 26 August 1835:**

... as far as the one hundredth and twenty-ninth degree of east longitude, ...

**John Fawkner – to Sir Richard Bourke, 7 October 1836:**

I have constantly maintained an amicable intercourse with the Native Tribes by kindness, by presents of clothing, food, and tools of various sorts as have also Messrs Batman and company.

**Governor Bourke – to the Colony, 26 August 1835:**

... reckoning from the meridian of Greenwich, including all the Islands adjacent in the Pacific Ocean within the latitude aforesaid, and including also Norfolk Island, ...

**John Fawkner – to Sir Richard Bourke, 7 October 1836:**

I have already expended and invested at this new settlement about Two Thousand Pounds; and I intend to make it up to Six Thousand Pounds, provided His Majesty's Government will allow me land where I have already fixed. I have built a house of Thirteen Rooms and another is in progress.

**Governor Bourke – to the Colony, 26 August 1835:**

... is void and of no effect against the rights of the Crown; ...



**John Batman – to Sir George Arthur, 25 June 1835:**

I quitted Port Phillip on the 14<sup>th</sup> day of June, having parted with the tribes in the most friendly and conciliatory manner, leaving 5 of my natives and 3 white men to commence a garden near the harbour, and erect a house for my temporary occupation on my return with my wife and family.

**Robert Hoddle:**

Ladies and gentlemen, what am I bid for the fourth parcel of land. **Start your bidding!**

**John Batman – to Sir George Arthur, 25 June 1835:**

The chiefs, to manifest their friendly feeling towards me, insisted upon my receiving ... two native cloaks and several baskets made by the women, and also some of their implements of defence.

**John Fawkner – to Sir Richard Bourke, 7 October 1836:**

I have sown acres of wheat, oats, barley, and potatoes, built a large boat, have taken to the Settlement seven men, one youth and one woman as servants. My vessel was the first that ever entered the river, at the Head of the Bay, and took goods up to where the fresh water falls into the salt. This river I beacons in the difficult parts at my own cost.

**Governor Bourke – to the Colony, 26 August 1835:**

... and that all persons who shall be found in possession of any such Lands as aforesaid, without the licence or authority of His Majesty's Government, for such purpose, first had and obtained, will be considered trespassers, and liable to be dealt with in like manner as other intruders upon the vacant lands of the Crown within the said Colony. ...

**Robert Hoddle:**

Ladies and gentlemen, what am I bid for the fifth parcel of land. **Start your bidding!**

**John Batman – to William Lonsdale, 25 March 1837:**

I beg leave to request that His Excellency Sir Richard Bourke will allow me to keep possession of the land I have improved upon until I receive an answer to my Memorial sent to Lord Glenelg in order that my property now on the land may be protected from being destroyed by trespassers or others.

**Robert Hoddle:**

Fawkner had tried to remain friendly with the Batman family. However, when he heard rumours that John Batman might have more success in obtaining recompense for pioneering work, he wrote to Lord Glenelg, Secretary of State for the Colonies, maligning Batman's activities.

**John Fawkner – to Lord Glenelg, 20 July 1837:**

There are many statements made not consistent with truth. He [Batman] is too ignorant, and utterly incapable of performing a land survey. His Sydney Blacks did not understand the language of the natives here and did not read and translate his Deed, by which he purchased land from the natives.

**Robert Hoddle:**

But in February, 1837, Police Magistrate William Lonsdale had written to the Colonial Secretary: 'I never before understood Mr Fawkner executed a survey of Port Phillip; some of the first settlers are equally ignorant of it.' These competing claims led to a breakdown in their previously friendly relations, and to a lifelong campaign by Fawkner to assert his primacy as 'founder' of Melbourne.

**Governor Bourke – to the Colony, 26 August 1835:**

... Given under my Hand and Seal, at Government House, Sydney, ...

**Robert Hoddle:**

On 13 April 1836 Lord Glenelg approved Bourke's actions, and authorised him to unleash 'the spirit of adventure and speculation' while maintaining the Crown's basic authority over the land, the law and the native inhabitants. The result was the rejection of all private claims and treaties, with one exception: The NSW Executive Council agreed to pay £7,000 to members of the Port Phillip Association in return for their pioneering endeavours and capital improvements.

**Governor Bourke – to the Colony, 26 August 1835:**

... this Twenty-sixth Day of August One thousand eight hundred and thirty-five. God Save the King!

**All players – standing and saluting:**

King William ... Long live the King!

## **Act 2 – Preparations for official settlement of Port Phillip**

**Robert Hoddle:**

Lord Glenelg's instructions of 13 April 1836 and a report sent on 10 June 1836 by George Stewart, a Police Magistrate from Sydney who was sent to Port Phillip to investigate an outrage, gave Sir Richard Bourke the information he needed to establish permanent official authority in Port Phillip.

**Lord Glenelg – to Sir Richard Bourke, 13 April 1836:**

I have received your dispatch dated the 10<sup>th</sup> August of October last, reporting the proceedings of Mr Batman and others at Port Phillip and Twofold Bay, and suggesting the measures which ought to be adopted to meet this new exigency in the affairs of your Government.

**Robert Hoddle:**

Ladies and gentlemen, what am I bid for the sixth parcel of land. **Start your bidding!**

**George Stewart – to Alexander McLeay, Colonial Secretary of New South Wales, 10 June 1836:**

In obedience to the commands of His Excellency the Governor conveyed to me in your letter, I embarked on board the revenue cutter *Prince George* for the purpose of proceeding to Port Phillip.

**Lord Glenelg – to Sir Richard Bourke, 13 April 1836:**

I approve of the course which you have hitherto pursued on this subject, and especially of your Proclamation maintaining the right of the Crown to the soil on these new settlements.

**George Stewart – to Alexander McLeay, 10 June 1836:**

I further, agreeably to my instructions, embraced the opportunity of my stay at Port Phillip to collect all the information I could relative to that Settlement and neighbouring country.

**Lord Glenelg – to Sir Richard Bourke, 13 April 1836:**

Each of those places will, probably at a time more or less distant, form the nucleus of a new and flourishing settlement, interchanging with the districts at present occupied by the vicinity of Sydney many articles of internal commerce ...

**George Stewart – to Alexander McLeay, 10 June 1836:**

The town 'Bearbrass' is on the left hand of the Yarra Yarra, about seven miles from its mouth which at present consists of 13 buildings, 3 weather-boarded, 2 slab and 8 turf huts. European population consists of 142 males and 35 females and 24 others have settled in the vicinity.

**Lord Glenelg – to Sir Richard Bourke, 13 April 1836:**

... and contributing to expedite the general occupation by the people of this Kingdom or their descendants of those vast territories, in which our natural wealth and industry have already, in the last half century, converted an unproductive waste into two great and flourishing provinces.

**Robert Hoddle:**

Why say something in one or two words when you can say it in three sentences?

I think what he was trying to say was that we are making a lot of money out of the territories we have invaded and will continue to do so in the future!

**George Stewart – to Alexander McLeay, 10 June 1836:**

The only convicts known to have escaped to Port Phillip are two from Van Diemen's Land; there are 26,500 sheep, 57 horses and 100 cattle; the soil is available for all agricultural purposes; a Customs branch appears necessary to regulate the smuggling of tobacco and spirits in trading vessels.

**Lord Glenelg – to Sir Richard Bourke, 13 April 1836:**

In producing and multiplying such results as these, it has, I believe, always occurred, and is perhaps inevitable that the sanguine ardour of private speculation should quicken and anticipate the more cautious movements of the Government.

**Robert Hoddle:**

I think what he was trying to say was that the land hunger and profit motives of private individuals tended to force the Government into actions they were wary of implementing!

**George Stewart – to Alexander McLeay, 10 June 1836:**

On the 1<sup>st</sup> of June, I held a conference with the aboriginal natives. On the same day, there was a meeting of the Europeans at the Settlement, and I embraced that opportunity of promulgating the proclamation of Sir Richard Bourke, and circulated copies of such, for the purpose of their being posted up at the various stations of Europeans.

**Lord Glenelg – to Sir Richard Bourke, 13 April 1836:**

You will perceive that I had, to a considerable extent, anticipated your own views. Respecting the arrangements to be made for settling a form of government at Port Phillip, I advance no further than to express my general concurrence in your views, and to sanction your acting on them in the manner you propose.

**Governor Bourke – to Lord Glenelg, 15 September 1836:**

In acknowledging the receipt of your Lordship's despatch of the 13<sup>th</sup> April last, I have the honour to state that I lost no time in acting upon the permission it contains to open the country about Port Phillip to settlers and to establish civil authority in the district for the protection of the Aborigines and the due administration of the laws.

**George Stewart – to Alexander McLeay, 10 June 1836:**

In conclusion, I beg to assure His Excellency that the residents generally expressed great satisfaction at the Government of New South Wales having made inquiry into their state and would, I am persuaded, feel much gratified if this Government would extend to them its protection.

**Robert Hoddle:**

Ladies and gentlemen, what am I bid for the seventh parcel of land. **Start your bidding!**

**Governor Bourke – to Lord Glenelg, 15 September 1836:**

His Majesty's Ship *Rattlesnake* being in Port Jackson when Your Lordship's despatch was received, I proposed to Captain Hobson to proceed to Port Phillip immediately, taking with him Captain William Lonsdale, whom I have appointed Police Magistrate for the District.

**Robert Hoddle:**

Ladies and gentlemen, what am I bid for the eighth parcel of land. **Start your bidding!**

**Governor Bourke – to Lord Glenelg, 15 September 1836:**

In the Government notice I intimated to the inhabitants of New South Wales and Van Diemen's Land the authorised occupation of the shores of Port Phillip.

**Robert Hoddle:**

Ladies and gentlemen, what am I bid for the ninth parcel of land. **Start your bidding!**

**Governor Bourke – to Lord Glenelg, 15 September 1836:**

I propose to dispatch to that place a party of three surveyors with the necessary apparatus and attendants. I propose to have the land measured off into Sections, and portions put up periodically for sale in conformity to His Majesty's instructions.

**Robert Hoddle:**

Ladies and gentlemen, what am I bid for the tenth parcel of land. **Start your bidding!**

**Governor Bourke – to Lord Glenelg, 15 September 1836:**

I have caused a communication to be made to Mr Batman and his associates informing them of His Majesty's command that the district should be opened for location, and requesting that some part of the Port Phillip Association should attend at Sydney to arrange the terms, on which the Association will be permitted to retain some small part of the land they have taken possession of.

**Act 3 – Governor Bourke's Proclamation, 3<sup>rd</sup> May 1836**

**Robert Hoddle:**

Lord Glenelg's key dispatch to Sir Richard Bourke showed his anxiety that the 'aborigines should be placed under a zealous and effective protection.' Captain Lonsdale was told it will be one of his most important duties to protect the aboriginal natives of the District from any manner of wrong.

**John Wedge – to John Montagu, Colonial Secretary of Van Diemen's Land, 15 March 1836:**

Since my arrival at this place I have learned that a flagrant outrage has been committed upon the natives of Westernport by a party of men employed in collecting mimosa bark.

**Robert Hoddle:**

Even before that despatch was sent on its long voyage from London to Sydney, John Wedge, a member of the Port Phillip Association, had protested to the Government that other settlers were shooting Aborigines and abducting their women. He said he had personally seen six Aborigines suffering from gunshot wounds, including a young girl probably crippled for life.

**John Wedge – to John Montagu, 15 March 1836:**

The details of which I feel myself called upon to communicate to you in the hope that His Excellency will take steps to prevent a repetition of such acts of aggression on a harmless and unoffending race of men, who have evinced the most earnest desire since our intercourse with them - upwards of nine months - to maintain the friendly understanding that has been established.

**Robert Hoddle:**

Governor Bourke's immediate reaction was to issue a proclamation warning that all such assaults would be severely dealt with according to law. George Stewart, Police Magistrate of Campbelltown, near Sydney, and two policemen were sent to Port Phillip to investigate the allegations.

**Governor Bourke – to the Colony, 3 May 1836:**

Attention please ... by Jove! WHEREAS it has been Represented to me that a flagrant OUTRAGE has been committed upon the ABORIGINAL NATIVES of WESTERN PORT by a Party of WHITE MEN, ...

**George Stewart – to Alexander McLeay, Colonial Secretary of N.S.W, 10 June 1836:**

I am indebted for the information Mr. John Wedge and other residents readily afforded me. I am of the opinion the blacks frequenting the country occupied by Europeans here is about 800, of which 400 have assembled on the settlement at one time. Their movements are very uncertain. Messrs Wedge and Batman have promised to distribute the blankets placed at my disposal to the natives.

**John Wedge – to John Montagu, 15 March 1836:**

A few weeks since, William Buckley\* heard that the men employed in collecting bark had attacked the natives and wounded several of them, but doubts being entertained by some of the correctness of the report, Buckley despatched messengers to request that the wounded natives might be brought to this place, and on the 11<sup>th</sup> instant the families arrived.

**Governor Bourke – to the Colony, 3 May 1836:**

... and that other OUTRAGES of a similar Nature have been Committed by Stockmen and others upon the Natives in the Neighbourhood of PORT PHILLIP; ...

**John Wedge – to John Montagu, 15 March 1836:**

And on visiting their huts I found that four individuals had received gunshot wounds. About a year and a half ago a similar attack was made upon the natives and four of their women were taken.

**Robert Hoddle:**

George Stewart probably attended a public meeting held in Melbourne on 1 June at which residents agreed on temporary arrangements for the arbitration of disputes. About twenty-four settlers attended the meeting including John Wedge, John Batman and John Fawkner.

**John Wedge – Minutes of residents' meeting, 1 June 1836:**

I support the proposition that all parties pledge themselves to communicate to an arbitrator any aggression committed upon or by the Aborigines that may come to their knowledge by the earliest opportunity and that he be empowered to proceed with the matter as he shall deem fit.

**George Stewart – to Alexander McLeay, 10 June 1836:**

The parties believed to have committed the two outrages at Westernport have since left the colony. One of the accused commanded a sealing vessel and was killed by natives near Spencer's Gulf.

**Robert Hoddle:**

Ladies and gentlemen, what am I bid for the eleventh parcel of land. **Start your bidding!**

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\* **William Buckley** was an escaped convict who lived with the Wathaurong for 32 years before giving himself up to John Wedge in 1835.

**John Wedge – Minutes of residents' meeting, 1 June 1836:**

I propose that all parties pledge themselves to afford protection for the Aborigines to the utmost of their power and further that they will not teach them the use of firearms or allow their servants to do so, nor on any account to allow Aborigines to be in possession of any firearms.

**George Stewart – to Alexander McLeay, 10 June 1836:**

The other is employed in whaling at Portland Bay. When the whaling season is over, it is the custom of the men to collect mimosa bark in Westernport, during which an attack was made upon a native family. I have every reason to hope the delinquent will be apprehended by residents of Port Phillip.

**Governor Bourke – to the Colony, 3 May 1836:**

... NOW, therefore, I, The Governor, in pursuance of the Power and Authority in me vested, do hereby Proclaim and Notify to all His Majesty's Subjects and others whom it may concern, that the whole of the Country on the Southern Coast of New Holland extending Westward ...

**George Stewart – to Alexander McLeay, 10 June 1836:**

The only aggression known to have been attempted by a European at Port Phillip upon any of the blacks was committed by a stockman on one of their females and was sent back to Van Diemen's Land by Messrs Wedge and Batman, a punishment the friends of the female were quite satisfied.

**John Wedge – Minutes of residents' meeting, 1 June 1836:**

I support Mr. Fawkner's proposition that a petition be prepared to Governor Bourke praying him to appoint a resident magistrate at Port Phillip.

**Governor Bourke – to the Colony, 3 May 1836:**

... from Wilson's Promontory by the one hundred and twenty-ninth degree of East Longitude, reckoning from the Meridian of Greenwich, being within the limits of New South Wales, all Persons residing or being within same, are subject to the Laws in force in the said Colony ...

**George Stewart – to Alexander McLeay, 10 June 1836:**

The Port Phillip residents appear to be treating the blacks with great kindness, and endeavouring to instil habits of industry into them.

**John Wedge – to John Montagu, 15 March 1836:**

It is to be lamented that the like outrages have been committed upon the Aborigines at Portland Bay and other whaling stations.

**George Stewart – to Alexander McLeay, 10 June 1836:**

But like all savages, they will steal when they can find any opportunity and three of them are reported to have speared two white men near Indented Head, that they might possess themselves of some flour these two were carrying.



**Governor Bourke – to the Colony, 3 May 1836:**

... and the promptest measures will be taken by me to cause all Persons who may be guilty of any Outrage against the ABORIGINAL NATIVES, or of any breach of the said Laws, to be brought to Trial before the Supreme Court of New South Wales and Punished accordingly. ...

**George Stewart – to Alexander McLeay, 10 June 1836:**

The tribe they belonged to, however, offered to give them up to the Europeans for punishment, which offer, under existing circumstances, was declined.

**John Wedge – to John Montagu, 15 March 1836:**

And unless some measures be adopted to protect the natives, a spirit of hostility will be created against the whites.

**George Stewart – to Alexander McLeay, 10 June 1836:**

The use of tobacco is yet unknown to them, and it would not be appreciated had any been distributed. The respectable residents are anxious to prevent their acquiring taste for either it or spirits. The articles most prized by the blacks are blankets, tomahawks, knives and brass ornaments.

**John Wedge – to John Montagu, 15 March 1836:**

Which in all probability will lead to a state of warfare between them and the Aborigines, which will only terminate when the black man will cease to exist.

**Governor Bourke – to the Colony, 3 May 1836:**

... Given under my Hand and Seal at Government House, Sydney, this Third Day of May, One thousand eight hundred and thirty-six. God Save The King!

**All players – standing and saluting:**

King William ... Long live the King!

**Act 4 – Survey issues prior to the first sale of Melbourne allotments, 1<sup>st</sup> June 1837**

**Robert Hoddle:**

Once the New South Wales Government decided to legitimise the illegal settlement on the Yarra Yarra River the Colonial Secretary, Alexander McLeay, informed Captain William Lonsdale he had been appointed the Police Magistrate for the District of Port Phillip by Governor Bourke. Captain Lonsdale's troops left Sydney in September 1836 to inaugurate official supervision of the district.

**William Lonsdale – to Alexander McLeay, Colonial Secretary of N.S.W, 30 September 1836:**

I have the honour to report my arrival at Port Phillip and anchored yesterday at its northern extremity near the entrance of the river upon which the principal settlement has been formed.



**Robert Hoddle:**

A team of surveyors was assembled to begin designing the shape and future of the new territory.

**Samuel Perry – to Robert Russell, 10 September 1836:**

I have to inform you that His Excellency has pleased to approve of the nomination of you, Assistant Surveyor Robert Russell, assisted by Mr D'Arcy and Mr Darke, for the survey of Port Phillip.

**Robert Hoddle:**

Perry gave Russell a long list of instructions before he left Sydney. His first main assignment was to chart the shores of Port Phillip Bay. The next task was to survey the Yarra Yarra and other rivers. Then he should make a list of existing squatters, who would need to be licensed. After that he could begin the major work of marking section lines which would form the basis for the entire survey.

**Samuel Perry – to Robert Russell, 10 September 1836:**

In travelling through the country, you will use the utmost vigilance over the control of your men and strictly forbid their provoking the Aboriginal natives to acts of hostility. If they render you any service the Police Magistrate will provide the most deserving with presents. You will observe the disposition of the natives whether hostile or friendly, the number in each of their tribes, how armed.

**William Lonsdale – to Sir Richard Bourke, 2 October 1836:**

I have as yet met with but three individuals, Mr Batman, Mr Thomson and Mr Wedge and say that the establishment which Your Excellency has directed to be formed here is considered the greatest boon that could have been granted them, indeed it had been absolutely necessary for their safety, as many of the lower order of people who had come over on adventure, were taking advantage of the absence of power to behave in a lawless and intimidatory manner.

**Robert Hoddle:**

Ladies and gentlemen, what am I bid for the twelfth parcel of land. **Start your bidding!**

**William Lonsdale – to Alexander McLeay, 10 October 1836:**

I have chosen Gellibrand's Point to place the government establishment as the most convenient. I have employed the prisoners sent with the surveyors as well as those under my own orders to remove the stores to the settlement. This may cause a little delay to the survey.

**Robert Hoddle:**

Ladies and gentlemen, what am I bid for the thirteenth parcel of land. **Start your bidding!**

**William Lonsdale – to William Hunter, 21 October 1836:**

I examined several other places for location and have finally fixed upon the place already chosen as the settlement and where the greatest number of persons reside. I should have preferred Gellibrand's Point but we could not obtain water and there is an abundant supply at the settlement.

**William Lonsdale – to William Hunter, 21 October 1836:**

The progress of moving the stores is very slow so I have hired a cart to convey some things that were immediately wanted and take away some of the prisoners to erect buildings and procure sheds for the soldiers, and house the officials and families in tents erected by some of the settlers.

**Robert Hoddle:**

The final survey party sent from Sydney consisted of 3 officers, 36 convict labourers, and 12 horses. Due to a lack of space, the surveyors' horses were sent separately on the brig *Martha*. Only nine days supply of bran and maize was shipped, but the voyage took nineteen days.

**Robert Russell – to Samuel Perry, 14 November 1836:**

The bad state of the weather prevented me from making a plan of the settlement to fill up the time lost by the bad condition of the horses.

**Robert Hoddle:**

So gaunt were the horses when landed, and so bad the weather, that Russell felt he had ample reason not to proceed rapidly to fulfil his instructions.

**Robert Russell – to Samuel Perry, 25 November 1836:**

After many unavoidable delays, I made every preparation to start today but the horses which have been provided are unfit and require some days' training before they can be made of any use.

**William Lonsdale – to Sir Richard Bourke, 8 December 1836:**

The surveyors were certainly for a short time disturbed by my employing their men in removing stores on our first landing, but it has occurred to me they have not displayed much activity.

**Robert Hoddle:**

Ladies and gentlemen, what am I bid for the fourteenth parcel of land. **Start your bidding!**

**William Lonsdale – to Sir Richard Bourke, 8 December 1836:**

It also appears to me that Mr Russell does not exert sufficient authority with the other two officers, and I have spoken to him on that head. They have not made the progress they ought to have done.

**Samuel Perry – to Alexander McLeay, 13 December 1836:**

The horses when shipped were the finest horses ever supplied to this Department and that every care was taken up to their embarkation when they were in very good condition.

**Robert Hoddle:**

Serious delays with the survey were apparent by January 1837. In February, Darke reported that he had been suffering from a hernia which kept him out of action for many weeks. D'Arcy reported that one of his convicts had absconded, and one of his horses drowned, causing much loss of time.

**Robert Hoddle:**

Dr John McDowell advised Robert Russell not to use his sore leg for any exertion: “Mr Russell having applied to me for my opinion respecting a sore leg which he is at present labouring under ... for the necessity of promoting a cure, it is decidedly necessary that he should remain perfectly at ease.”

**William Lonsdale – to Sir Richard Bourke, 1 February 1837:**

I am glad to find Your Excellency intends visiting the district at an early period, for I think it very desirable the townships should be chosen and laid out as early as possible.

I think there are many only waiting till they can purchase and build with certainty and do not wish to be living in temporary residence. Also, a clergyman and a medical man will be a great inducement to families coming to us and I am sure there will be an influx of the wealthy and respectable classes.

**Robert Hoddle:**

Ladies and gentlemen, what am I bid for the fifteenth parcel of land. **Start your bidding!**

**William Lonsdale – to Sir Richard Bourke, 1 February 1837:**

I am happy to say the representation I made to Mr Russell on the subject of the survey has had a beneficial effect, as it has been going much better.

**Robert Russell – to Samuel Perry, 28 February 1837:**

I have received reports from Messrs D’Arcy and Darke and the work is advancing rapidly. Once the field work is plotted and a plan transmitted to you I trust it will be found in every way satisfactory. The many and serious delays to which I have been subject now being in a great measure removed, I make no doubt but that the first paragraph of the instructions will very speedily be completed.

**Robert Hoddle:**

At the end of February 1837, more than five months after leaving Sydney, Russell sent an optimistic report to Sydney, making promises of early delivery of plans. But it was too late. Governor Bourke began to suspect that something was wrong at Port Phillip. He decided to make a first-hand inspection, bringing me with him as a replacement for Russell as officer in charge.

**Robert Russell – to Robert Hoddle, 28 March 1837:**

It is necessary that I explain how it is that no plan of mine has yet been transmitted. My chief care was, after many delays to start, to do it in a methodical manner and to avoid any chance of error. I regret much that from recent circumstances which have detained me I have not completed the work in question. I take the liberty to remind you of the many delays which have occurred.

**Robert Russell – to Samuel Perry, 29 March 1837:**

As it is possible that you may consider that I have been neglecting my duty, I have to state that should this unfortunately be the case I am fully prepared to render you every explanation.

**Robert Hoddle:**

The Governor's party arrived in Port Phillip in March 1837. He visited the main settlement, approved the general outline of a township, named it Melbourne in honour of the British Prime Minister, Lord Melbourne, and ordered the first sales of town allotments to be planned.

On his return to Sydney, the Governor reported to Lord Glenelg he had little doubt the settlement would 'increase rapidly in numbers and wealth' and Lonsdale had acted with 'great ability and zeal'.

**Samuel Perry – to Alexander McLeay, 19 April 1837:**

I have to express myself much disappointed that the survey should have proceeded so slowly, the excuses alleged being the want of proper instruments, and the bad condition of their horses.

**Robert Hoddle:**

Ladies and gentlemen, what am I bid for the sixteenth parcel of land. **Start your bidding!**

**Samuel Perry – to Alexander McLeay, 19 April 1837:**

The survey party was equipped upon a scale quite sufficient to have kept them in the field for two years – the instruments were the best the country could supply and were of their own selection.

**Robert Hoddle:**

Ladies and gentlemen, what am I bid for the seventeenth parcel of land. **Start your bidding!**

**Samuel Perry – to Alexander McLeay, 19 April 1837:**

Admitting the bad condition of the animals on their landing, there was sufficient occupation for the Assistant Surveyors in arranging their equipments and plan of operation, and surveying the township, to have afforded for the horses to recover before they were required in the field.

**Robert Hoddle:**

I obtained only a sketch of the settlement by Messrs Russell and D'Arcy on which I drew a plan of the Town of Melbourne.

**Samuel Perry – to Robert Hoddle, 26 April 1837:**

The Governor's approval of the plans of the towns of Melbourne and Williamstown as prepared by you are now deposited in this office for public inspection and appeared in the Government Gazette.

**Robert Hoddle:**

At first it was intended to appoint Lonsdale's clerk, Mr E. J. Foster, as auctioneer. However, legal difficulties arose such that Mr Foster was unavailable. Mr Perry appointed me to take his place.

Today, representing the Governor, I have mounted a tree stump and read out the conditions of sale.

I shall continue selling the five town blocks, each divided into twenty allotments of nearly half an acre each. The upset price is £5 per allotment. Seven allotments will be also sold at Williamstown.

So, ladies and gentlemen, what am I bid for the eighteenth parcel of land in Melbourne .....?

## Postscript

### Governor Bourke – to Lord Glenelg, 14 June 1837:

In my despatch of the 15 September last, I informed your Lordship of the measures I had adopted for opening to location the district in question, and of the appointments I had made from hence for the purpose. I found, when at Port Phillip, that the Police Magistrate, Captain William Lonsdale, had conducted the varied duties of his station with great ability and zeal, and that through his activity and discretion the comfort of the settlers and the preservation of good order in the district had been fully provided for. I found also the great kindness and attention had been paid to the aboriginal natives both by him and the Missionary Langhorne. I have given to them both every assistance in my power, and I indulge a hope, notwithstanding some unfortunate occurrences, that the intercourse between these natives and the white population of Port Phillip will be carried on with greater benefit to the former than has hitherto been experienced in other parts of the Colony.

### THE END

The Elimination stage to find the winner of the game is played as follows:

**Rule 1:** The Land cards are ranked ... Jack (lowest), then Queen, King, Aces and Joker (highest).

The four suits of cards are also ranked ... Diamonds (lowest), Hearts, Clubs, and Spades (highest).

**Rule 2:** One Land card is placed **face-up** on the table by each player in the following order:

- From the player with the **lowest** number of Land cards to the player with the **highest** number.

*Note: If two or more players have the same number of Land cards, these players choose one of their Land cards and place it **face-down** and then together they turn over their card **face-up**.*

**Rule 3:** The player with the lowest ranked card is **eliminated** and collects the Land cards played.

**Rule 4:** The Land cards are shuffled and one replacement card is dealt to the remaining players.

**Rule 5:** Rules 2, 3 and 4 are repeated in the same playing order minus the eliminated player(s), until there is only one player remaining ... the Winner!

***Disclaimer:** The author found no evidence suggesting Robert Hoddle gave a historical summary of the settlement of Melbourne while conducting the first land auction in Melbourne on the 1<sup>st</sup> June 1837.*

## **Acknowledgements**

I would like to acknowledge that when writing the script for this game most of the historical information was transcribed from:

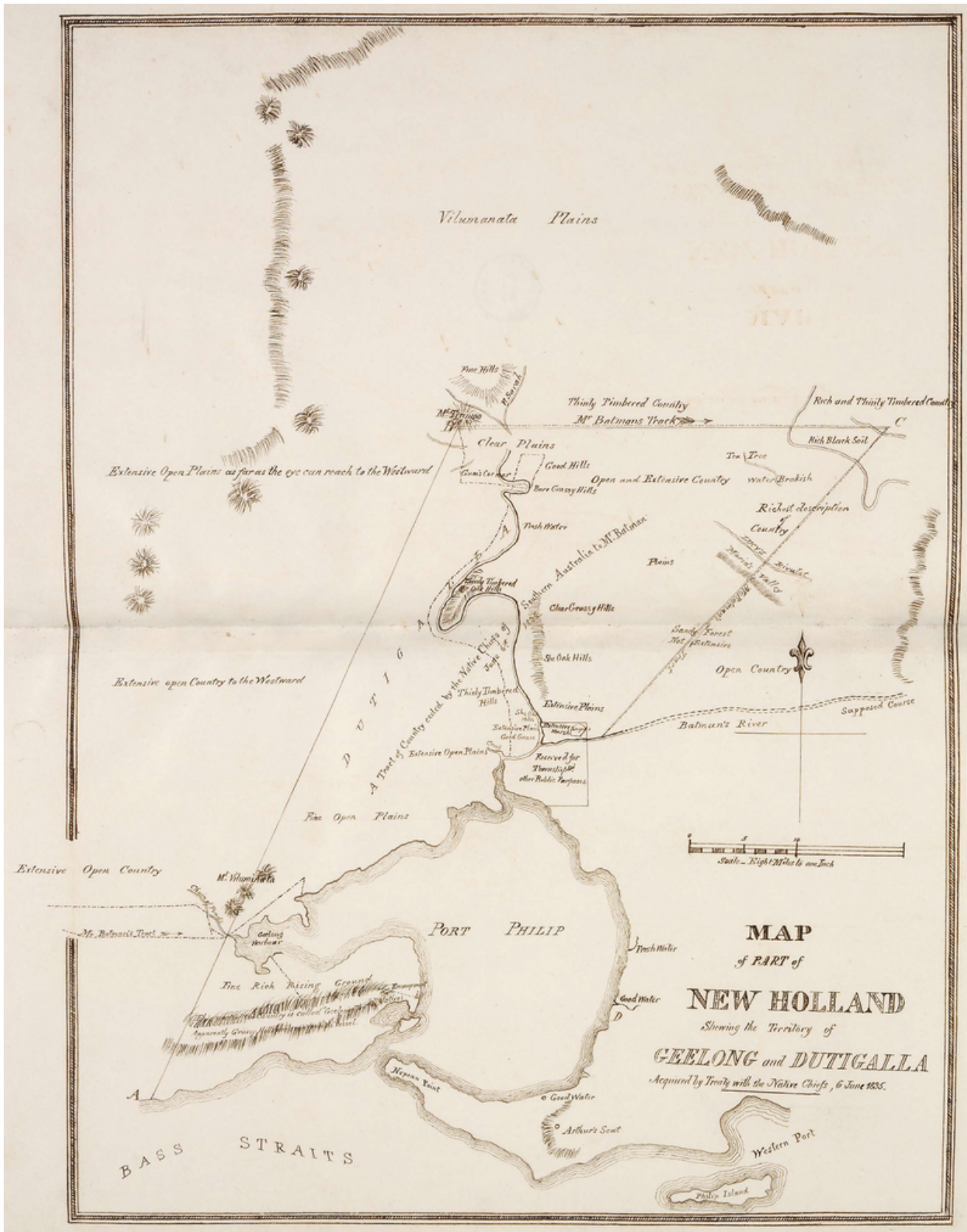
- “Historical Records of Victoria, Foundation Series” Editor-in-chief: Michael Cannon, associate editor: Ian MacFarlane. Melbourne, Victorian Government Printing Office (etc), 1981-2002.
  - Volume 1: Beginnings of Permanent Government
  - Volume 3: The Early Development of Melbourne
  - Volume 5: Surveyors’ Problems and Achievements, 1836-1839

‘Crossword Labs’ at <https://crosswordlabs.com> was used to construct the crossword.

I would like to thank Lesley Foster and Judith Kershaw for their proof reading and suggestions.



# MAP OF JOHN BATMAN'S TREATY, 6<sup>th</sup> JUNE 1835



Dixon Library, State Library of New South Wales, DL Q83/71

# GOVERNOR BOURKE'S PROCLAMATION, 26<sup>th</sup> AUGUST 1835



## PROCLAMATION.

**By His Excellency Major General Sir RICHARD BOURKE, K.C.B., Commanding His Majesty's Forces, Captain General and Governor in Chief of the Territory of New South Wales and its Dependencies, and Vice Admiral of the same, &c. &c. &c.**

**W**HEREAS, it has been represented to me, that divers of His Majesty's subjects have taken possession of vacant Lands of the Crown, within the limits of this Colony, under the pretence of a treaty, bargain, or contract, for the purchase thereof, with the Aboriginal Natives; Now therefore, I the Governor, in virtue and in exercise of the power and authority in me vested, do hereby proclaim and notify to all His Majesty's subjects and others whom it may concern, that every such treaty, bargain, and contract with the Aboriginal Natives as aforesaid, for the possession, title, or claim to any Lands lying and being within the limits of the Government of the Colony of New South Wales, as the same are laid down and defined by His Majesty's Commission; that is to say, extending from the Northern Cape or extremity of the coast called Cape York, in the latitude of ten degrees thirty-seven minutes south, to the southern extremity of the said Territory of New South Wales, or Wilson's Promontory, in the latitude of thirty-nine degrees twelve minutes south, and embracing all the country inland to the westward, as far as the one hundred and twenty-ninth degree of east longitude, reckoning from the meridian of Greenwich, including all the Islands adjacent in the Pacific Ocean within the latitude aforesaid, and including also Norfolk Island, is void and of no effect against the rights of the Crown; and that all persons who shall be found in possession of any such Lands as aforesaid, without the license or authority of His Majesty's Government, for such purpose, first had and obtained, will be considered as trespassers, and liable to be dealt with in like manner as other intruders upon the vacant lands of the Crown within the said Colony.

*Given under my Hand and Seal, at Government House, Sydney, this Twenty-sixth Day of August, One thousand eight hundred and thirty-five.*

**(L.S.)**

**"RICHARD BOURKE,"**

*By His Excellency's Command,*

**ALEXANDER McLEAY.**

**GOD SAVE THE KING!**

*Stephens and Stokes, Printers, "Herald Office," Lower George-street, Sydney.*

# GOVERNOR BOURKE'S PROCLAMATION, 3<sup>rd</sup> MAY 1836

Number 222.

[ 395 ]



## NEW SOUTH WALES GOVERNMENT GAZETTE.

Published by Authority.

WEDNESDAY, MAY 18, 1836.

*Government House, Sydney,  
26th April, 1836.*

**HIS** Excellency the GOVERNOR will hold a Levee at Government House, Sydney, on Saturday, the 28th May next, at One o'clock.

Gentlemen attending the Levee are requested to bring their Cards, to be delivered to the Aid-de-Camp in waiting.

There will be a Ball at Government House, in celebration of His Majesty's Birth-day, on the evening of Monday, the 30th May.

ROBERT M. WESTMACOTT,  
*Captain and Aid-de-Camp.*

### PROCLAMATION.

*By His Excellency Major-General Sir Richard Bourke, K. C. B., Commanding His Majesty's Forces, Captain General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice Admiral of the same, &c. &c. &c.*

**W**HEREAS it has been Represented to me that a flagrant OUTRAGE has been committed upon the ABORIGINAL NATIVES of WESTERN PORT by a Party of WHITE MEN, and that other OUTRAGES of a similar Nature have been Committed by Stockmen and others upon the Natives in the Neighbourhood of PORT PHILLIP; NOW, therefore, I, THE GOVERNOR, in pursuance of the Power and Authority in me vested, do hereby Proclaim and Notify to all His MAJESTY'S Subjects and others whom it may concern, that the whole of the Country on the Southern Coast of New Holland extending Westward from Wilson's Promontory to the One Hundred and Twenty-ninth Degree of East Longitude, reckoning from the Meridian of Greenwich, being within the limits of New South Wales, all Persons residing or being within the same, are subject to the Laws in force in the said Colony, and the promptest measures will be taken by me to cause all Persons who may be guilty of any Outrage against the ABORIGINAL

NATIVES, or of any breach of the said Laws, to be brought to Trial before the Supreme Court of New South Wales, and Punished accordingly.

*GIVEN under my Hand and Seal, at Government House, Sydney, this Third Day of May, One thousand eight hundred and thirty-six.*

(L. S.)

RICHARD BOURKE.

*By His Excellency's Command,*

ALEXANDER McLEAY.

GOD SAVE THE KING!

*Colonial Secretary's Office,  
Sydney, 30th April, 1836.*

**HIS** Excellency the GOVERNOR has been pleased to direct the publication of the following Order of the King in Council, dated 20th November, 1835, appointing the Ports of Sydney, Hobart Town, and Launceston, Free Warehousing Ports for the importation and exportation of Goods into and from any of His Majesty's possessions, be published for general information.

*By His Excellency's Command,*

ALEXANDER McLEAY.

**A**T the Court at Brighton, the 20th day of November 1835,

PRESENT,

The KING'S Most Excellent Majesty in Council.

**W**HEREAS, by an Act, passed in the session of Parliament held in the third and fourth years of His present Majesty's reign, intitled "An Act to regulate the trade of the British possessions abroad," it is, amongst other things, enacted, that it shall be lawful for His Majesty, by and with the advice of His Privy Council, by any Order or Orders in Council to be issued from time to time, to give such directions and make such regulations, touching the trade and commerce to and from any British possessions on or near the Continent of Europe, or within the Mediterranean Sea, or in Africa, or within the limits of the East India Company's charter, excepting the possessions of the said Company, as to His Majesty in