The book cover features a decorative border with a repeating geometric pattern of interlocking circles and lines. The title is centered in a large, bold, serif font.

**OUR
FOUNDING
MURDERING
FATHER**

**Angus McMillan
and the
Kurnai Tribe
of Gippsland
1839 - 1865**

Peter Dean Gardner

The Original Edition

Our Founding Murdering Father Revisited (2016)

Peter Gardner

Introduction

A number of recent happenings have prompted me to re-examine my publication *Our Founding Murdering Father* which was self-published in 1988.¹ The first was the publication this year by Cal Flyn, Angus McMillan's great great great niece, of her book *Thicker than Water* which used much of my work on Gippsland and McMillan.² *Thicker than Water* was described as "part family memoir, part travelogue, part history, and an intimate, revealing and fascinating journey into our Australian heritage..." This was followed fairly closely by a critical review of the historical aspects of Flyn's book by Dr Peter Crowley.³ The third was whilst attending the Australian Historical Association's 'Boom to Bust' conference in Ballarat where my former use of the provocative title of *Our Founding Murdering Father* was what – if at all - I was known by.⁴ Finally I recently met with the South Gippsland Reconciliation group who are hoping to get the name of the McMillan federal electorate in west Gippsland changed. I decided that more information was needed on a number of aspects of the publication and that there was a need to correct some misconceptions with one factual correction to be made.

The Title

An early popular article I wrote called "Our Murdering Founding Fathers" was published in The Living Daylights Feb-March 1974 after I had been living in Gippsland barely a year. This was a brief summary of the period of frontier conflict in Gippsland and identified Angus McMillan as one of those 'fathers'. Thus I was aware of McMillan's role as a possible "murderer" (or at least one of them) of the local aboriginal people – the Kurnai – at a very early date. What I cannot recall is whether the title was mine or that of the paper's editor. I think that it was mine but cannot be perfectly sure. Nor am I sure whether I supplied a slightly different title with the adjectives then being reversed by the editor. The Living Daylights was a racy 'counterculture' style paper published by the Nation Review. The headline was meant to be provocative and controversial but it had no impact at all on Gippsland local history or historians whatsoever.

The phrase remained with me whilst I began working and writing on frontier conflict in Gippsland whenever I was able. Collecting information on McMillan, some of which was used in *Gippsland Massacres*⁵ and in *Through Foreign Eyes*⁶ became one of my side projects. By the time the latter work was being published I had been working hard on my McMillan book and soon realised that it would be impossible to get a publisher for it. I was also impatient to get it published as soon as possible. I decided to self-publish and then to use

a variant of the early newspaper headline as the title. This was done for practical reasons. My financial position was precarious and it was most important that the book make a 'splash' and sell fairly quickly. Thus 'provocative and controversial' was required. As it turned out it gained a substantial amount of publicity and the edition of 550 sold out fairly quickly. In the Introduction to the first edition I wrote that: "The title has been chosen to be deliberately provocative. It is based on a title I used in a popular article many years ago, that summarised information on the massacres. And it is critical because most of the work that has appeared on McMillan has been shallow and almost sycophantic in its praise and admiration of its subject with the notable exceptions of John Wilson⁷, and more recently, Don Watson⁸." In this regard after 30 years nothing much has changed. Other matters of 'terminology' will be discussed hopefully in another short paper.

A Tendentious Work?

The book was described in a review of Cal Flynn's *Thicker than Water* by Peter Crowley as a 'tendentious work' and perhaps by implication fallacious though in an email Crowley replied that this was not necessarily so. There appears to be at least three aspects to the definition of this word. By all accounts the title was provocative and the work freely admitted to being controversial. Whether the work was designed to promote a particular cause or point of view is much more difficult to answer. *Our Founding Murdering Father* was essentially the negative case in a debate with Kenneth Cox's *Angus McMillan: Pathfinder*⁹ as I outline below. Since the aim of a 'debate' is to express a 'point of view' or 'argue a case' then to apply the label 'tendentious' to this seems unfair. More than anything I am at fault for not stating this purpose clearly where, in the original edition, the motivation for writing the book is not mentioned at all and in the revised edition not much better. In this edition I wrote: "It also needs re-emphasizing that this work should be seen primarily as an examination of the subject's life in connection with the Kurnai people. It is not, therefore, a balanced, or complete biography. Those not familiar with the traditional story of McMillan's life are referred to those volumes in the notes." The implication is that the work is part of a debate without clearly stating so. For this I apologise.

Finally tendentious implies that the author's mind is made up in advance. This I refute. Whilst the early publication of the article in [The Living Daylights](#) might suggest otherwise the gestation of such a project, if that is what it was, 15 years, was certainly a long time coming. A case of sorts can be made for McMillan as I outline below but I certainly did not consider it necessary for me to do so as it had already been done before, if badly, a number of times. Further my almost sole historical concern for a decade was frontier conflict in which McMillan played a leading role but who was by no means alone in this. For all of the 1970s I had little interest in McMillan's role in the so-called 'discovery debate' or that he may have been a heavy drinker (a problem I also had for many years) or in the manner of his death and many other aspects of his career. It was only after *Through Foreign Eyes* was completed (about 1985) that I began researching these other aspects of his career. To conclude the work was provocative and controversial and deliberately so. It was the negative case in a 'debate'

or was sometimes described as an 'alternate biography'. Almost all the research – especially those aspects not directly related to the Kurnai - was carried out in the immediate years before the book was written in 1986-7.

An Alternative Biography or the Negative Case?

Flicking now through a copy of Cox's book has annoyed me. It annoyed me 40 years ago. Aside from a general bibliography no sources have been identified in the endnotes – the notes are explanatory only. Occasionally I see a reference to something of interest but have to ask where did this information come from? Or is it part of the author's creative writing like his fictional dialogue? Rather than repeat the exercise of writing *Our Founding Murdering Father* all over again I will give just two examples of Cox's work that are complete distortions of history. One I obviously care deeply about – McMillan and the Warrigal Creek massacre - and the other is of no importance at all – whether he had venereal disease. I could as easily have chosen half a dozen other examples, such as the discovery debate or the manner of McMillan's death.

The Warrigal Creek massacre can be handled fairly quickly. Cox treats the murder of Ronald Macalister and the Warrigal Creek retaliation on one page.¹⁰ But throughout the text the claim is made of McMillan as friend and protector of the Kurnai and implies that the retaliation after the Macalister murder must therefore have been an aberration in his career. Cox wrote that after the murder: "McMillan realised that reprisals could not be avoided..."¹¹ and using Hoddinott's account in the Gap Magazine noted "if the account can be believed, one hundred and fifty natives were killed; surely, if true, an excessive punishment." Hinged with those qualifiers that is all Cox has to say about a momentous event in local history, and in which his subject was almost certainly involved. For Cox 'if' the numbers he cites are true, then the participation by McMillan in this 'excessive punishment' was an exception. This brief outline of Warrigal Creek is included in a chapter entitled "Protector of the Aborigines".

The other example is McMillan's encounter with a prostitute, dated precisely on the 5th of November 1855 in the Flinders Street Hotel. Through his fictional dialogue Cox implies that this is McMillan's first sexual encounter (at 45 years of age), that he was ill at the time when seduced and after 16 years in the colonies could not recognise a prostitute. "Jean" he asked her urgently. "You're not one of those, are you?"¹² Why Cox felt necessary to create this passage, and, more so include it, is difficult to understand. I concluded that the most likely reason for this was to be found in the diary of Dr Ewing in Sale from 1848-51 – that indicated that McMillan had been treated by the doctor for venereal disease. In *Our Founding Murdering Father* I wrote: "There are several other indicators for the spread of venereal disease and McMillan's possible infection... The second occurs in K. Cox's *Angus McMillan: Pathfinder* whereby McMillan participates in a brief, somewhat sordid night, with a Scottish prostitute. Where Cox can have found evidence for such an event is not known, unless he made his extraordinary conclusion after reading the Ewing diaries."¹³ It should be noted when I last tried to read these privately held diaries (1986) access was denied so am relying

on second hand and indirect evidence, albeit from a reliable source who had read them, that McMillan had the disease.¹⁴

The casual treatment of chronological order by Cox is evident in both these examples. In the former his actual career as Aboriginal Protector of one or two years (c.1860) is imputed to extend across the first 25 years of European occupation. In the latter his first sexual encounter (from which he is infected?) is in 1855 whilst the diary probably records his treatment for a sexually transmitted disease five or six years earlier.

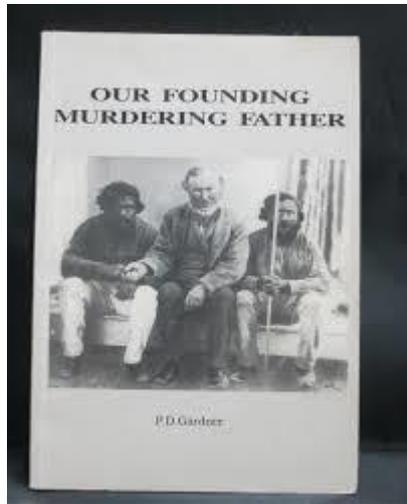
In some sections of the press *Our Founding Murdering Father* was labelled the 'Alternative Biography' of McMillan. However to read the two books side by side is like reading the story of two completely different people and, unlike other works, including Flynn's, I have only been interested in the last 25 years of McMillan's life – the period relating to Gippsland. Consequently I much prefer it to be known as the negative case in a debate.

The Editions

The original edition was a 'much flawed' first venture in self publication of what later was to become Ngarak Press (cover image above). On the verso the publication date is listed as 1987 and the printer was listed as PrintCity, both of which are incorrect. Originally I had a Melbourne Printer PrintCity printing the work but they were having financial or takeover difficulties and the job was eventually transferred to, and printed by, E Gee Printers in Bairnsdale. It came out early in 1988 before *Through Foreign Eyes* was published by the Centre for Gippsland Studies (CGS). There was some concern at the CGS that bringing the two books out so close together would detract from their sales and with hindsight this was possibly so. The publication of *Through Foreign Eyes* by the CGS was a well presented work, sub-edited by Patrick Morgan and with a foreword by Albert Mullet. This was preceded by about 6 months by my *Our Founding Murdering Father* - full of spelling mistakes (I was yet to discover the spellcheck) an occasional missing word and straight text with 2 maps. The binding was saddle stitch which was the cheapest binding method available. A second revised edition was produced in 1990 of about 1800 copies (cover image below). This was a much better perfect bound edition with illustrations but still an embarrassing number of spelling errors. The spellcheck was still not mastered and this run took a long time to sell out. I still cringe, for instance, reading about 'orbituaries'. Both editions are 'hard to get' now and when they appear on internet listings are usually priced at more than \$60.

Our Founding Murdering Father was really my third book on the Kurnai and with the others is sometimes referred to as my 'Kurnai trilogy'. Compared with the other titles *Our Founding Murdering Father* initially sold exceptionally well. The first edition of *Gippsland Massacres* - also a controversial title - sold out in about 18 months. By contrast *Through Foreign Eyes*, the most sophisticated work of the three, sold relatively slowly. All three books were eventually re-issued by Ngarak Press. *Our Founding Murdering Father* sold about 2,300 copies and has been out of print for about 8 or 9 years. *Gippsland Massacres* had two further print runs of 1000 with some copies of the last still available at Gippsland and East Gippsland

Aboriginal Co-operative (GEGAC). *Through Foreign Eyes* was reprinted once with copies still available at GEGAC. The conclusion is that the sensational, provocative titles were the best sellers, and in particular *Our Founding Murdering Father* captured the public imagination.



Second Revised, Illustrated edition

Historical Accuracy and Erratum

For all the controversy *Our Founding Murdering Father* caused there has been very little factually based criticism of the work. Many found it difficult to grasp the idea of McMillan's role in a 'black war' and then much later becoming a benefactor and protector of Aborigines, amongst others historian John Wells. This thesis challenged the very foundations of local history. I have re-read the book several times recently and there still remains only one small factual passage I would correct – the last sentence in the prelude about Jemmy Gibber. I left this open ended and one interpretation could be that McMillan may have actually killed Jemmy Gibber. The sentence read “And of Jemmy Gibber, McMillan's treacherous black man, history has no further record.” However Sue Wesson in her *An historical atlas of the Aborigines of eastern Victoria and far south-eastern New South Wales*¹⁵ records Jemmy Gibber as being present in a Monaro camp four years later in 1844. The text needs upgrading and the sentence should now read “And of Jemmy Gibber, McMillan's treacherous black man, Gippsland history has no further record” with a reference in the endnotes to Wesson indicating this last known record.

Playing the Devil's Advocate

In many ways Flynn's *Thicker than Water* already fulfils this role. I offer here a defence of sorts for McMillan though I am not sure why I am doing so. Perhaps I do so only because of the failure of others to clearly delineate one in the last 30 years. This is as follows:

The first defence, though not an excuse, is a general one in that there was a certain inevitability of the 'black war' in Gippsland. The Kurnai reacted strongly against the European intrusion and would have

done so whoever was intruding. But McMillan was the figurehead or leader of the ‘intrusion’ and his claims to priority in Gippsland gave him prominence in the records. Somewhat ironically, this has actually helped bolster the case against him in the ‘black war’. In late 1840 early 1841 the Kurnai massed in great numbers – probably hundreds – on a number of occasions to drive out the intruders. The intruders – McMillan and up to a dozen other identifiable individuals¹⁶ - naturally defended themselves. On one occasion when McMillan was absent the small group of Europeans, threatened by a large number of Kurnai, abandoned their stock and retreated to Ensay. There followed on McMillan’s return the first ‘massacre’ at Boney Point. And at least one more ‘massacre’ followed the same year at Butchers Creek, near present day Metung, and possibly others. It can be argued that at this time the intruders - still a small party in Gippsland proper - were greatly outnumbered and fearful of the Kurnai. By 1843 when the Warrigal Creek massacre occurred this was no longer so. This massacre was a furious and carefully organised response to the murder of Ronald Macalister – more or less what Lyndall Ryan describes as ‘settler activism’¹⁷. It is now obvious that with the exception of a few individuals this act, and probably many others like it, had almost universal support amongst the European population. Everyone bar this very small minority felt the same way. The stand-outs were the Meyricks, GB Eagle, Gorringe – literally a handful and of these both Eagle and Henry Meyrick died after being resident in Gippsland only a very short time. Aside from this ‘handful’ almost everyone in Gippsland appears to have been in favour of the extermination of Kurnai. Again this is not really an excuse. The further in time we progress from the initial intrusion the harder it is to offer any defence for these acts of violence. The hunts for the white woman and the 50 or more Kurnai¹⁸ killed during these hunts is a case in point. McMillan was deeply involved in all this. From about 1848-50 McMillan began befriending the survivors, and a small group of about 50 camped more or less permanently at his Bushy Park station. Finally, but for the contemporary horror felt by Henry Meyrick, it could have also been argued that as historians we were merely applying our own moral code to that of yesterday.

Of all the ‘intruders’ during the period of the ‘black war’ it is the Meyricks, Henry, Alfred and cousin Maurice, George Eagle and Thomas Gorringe whom I admire. They eschewed violence and resisted peer group pressure to participate in it. And if I must choose among them Henry Meyrick and his letters home is the standout. In my short chapter on him in *Through Foreign Eyes* I concluded that his life “so unfortunately curtailed, bears favourable comparison with other, better-known figures in Gippsland history. His story remains encapsulated in the records, those humble, youthful, exciting letters he wrote to his family at home.”¹⁹

Summary

I have Flynn’s *Thicker than Water* to thank for provoking me to write this essay. I may at some stage make more detailed notes on some of the historical aspects of her work. Flynn’s imaginative recreation of the Warrigal Creek massacre in the prologue delivers somewhat of a shock. It is fiction like much of Cox but this recreation has more substance and historical foundation than most of *Angus McMillan: Pathfinder*. *Thicker than Water* is sensitive and in its way also exploring. It puts McMillan’s case better than many have done previously. It is not straight history and makes no pretensions to biography. It clearly acknowledges where acknowledgement is due. What I cannot accept from Flynn is the idea of “inter-generational

guilt". That is a burden that would overwhelm all but a few of us. For me it is a matter of retelling the past as I see it, a "warts and all" approach and this is sufficient.

Crowley I have partially attempted to answer elsewhere. Except for one or two points – the use of the term 'tendentious' in particular - our disagreements are minor. Without his critical review of Flynn's book at least 3 short essays including this one, may not have been written.²⁰ With regards those historians at the AHA conference it is a little sad that it is the provocative title that is recalled rather than the body of my work. On the other hand without the provocative title they may not have heard of my work at all. As for the South Gippsland Reconciliation Group I originally thought the change of electorate name may be some time in coming. However a recent SBS TV news item²¹ on this matter, in which I make a brief appearance, indicates that it may happen by 2018. It remains more than a touch ironic that McMillan had virtually nothing to do with the area that the electorate currently covers.

Endnotes

1 Gardner, P.D. *Our Founding Murdering Father*, The Author, Ensay, 1988

2 Flynn, Cal. *Thicker than Water*, Harper Collins, Sydney, 2016

3 At the AHA conference Prof. Tom Griffiths of the School of History ANU, whom I had worked for in 1989, remembered me as the author of *Our Founding Murdering Father*. Tom introduced me to another academic I wished to speak to on mining matters who after introductions asked "You're not Our Founding, Murdering...?" "Afraid so." I replied. Michael Taffe, Ballarat Historian and archivist of the Catholic Church, who generously took me to the huge monolithic tombstone of Martin Loughlin in the new Ballarat Cemetery, when he learned I was the author of *Our Founding Murdering Father* admitted that Angus McMillan was formerly a 'hero' of his.

4 Dr P. Crowley Review in Inside Story <http://insidestory.org.au/is-this-such-a-man>

5 Gardner, P.D. *Gippsland Massacres*, Warragul Education Centre, Warragul 1983

6 Gardner, P.D. *Through Foreign Eyes*, Centre for Gippsland Studies, Churchill, 1988

7 Wilson, John. *Official History of the Avon Shire 1840-1900*, Shire Hall, Stratford, 1951

8 Watson, Don. *Caledonia Australis*, Collins, Sydney, 1985

9 Cox, K. *Angus McMillan Pathfinder*, Olinda Public Relations, Olinda, 1973

10 Ibid. p.151

11 The emphasis Cox placed on his subject as the leader and most prominent person in Gippsland leaves one with the impression that McMillan 'led' the reprisals at Warrigal Creek. This may have been so. Other possibilities include one of the Macalisters. Likewise Flynn assumes that McMillan was the leader.

12 Cox, K. *Angus McMillan Pathfinder...* p.146

13 Gardner, P.D. *Our Founding Murdering Father...* p.58

14 My reliable, but unofficial, source for this was Bill Cuthill (1909-2003) Chief Stipendiary Magistrate; author of *The River of Little Fish: a history of Traralgon written for boys and girls of the city*, Traralgon and District Historical Society, Traralgon, 1970; compiler of the White Woman Manuscripts MS10065 in the SLV (which in the 1970s I spent many hours working on - a fabulous resource) and Vice-President and Fellow of the Royal Historical Society of Victoria. Bill implied this state of affairs, rather than stating it outright, whilst we were having a discussion on McMillan at the SLV about 1985. I cannot recall his exact words.

15 Wesson, Sue C. *An historical atlas of the Aborigines of eastern Victoria and far south-eastern New South Wales*, Melbourne, School of Geography and Environmental Science, 2000 p.108

16 According to Cox, besides McMillan, the early intruders at different times probably included some or most of the following: Matthew and Thomas Macalister, Alan Cameron, John McDonald, Colin McLaren, Dr

Arbuckle, Edward Bath, assigned servants James Lawrence, Lorenzo Gilbert, Connors and Edward Clarke, and Omeo Aboriginals Cobbone Johnny, Boy Friday and Ingebira. Other possible early intruders not mentioned by Cox are Colin and Ronald Macalister.

17 Ryan, Lyndall. "Settler massacres on the Port Phillip Frontier 1836-1851" *Journal of Australian Studies* 34:3:25

18 Evidence C.J. Tyers in Select Committee on Aborigines, *Victorian Parliamentary (Legislative Council) Debates* 15-9 D8 (V & P) p.771. This is almost certainly a conservative estimate of the casualties.

19 Gardner, P.D. *Through Foreign Eyes*...p.27

20 See my "Howitt's Line of Blood" <http://petergardner.info/wp-content/uploads/2012/11/Howitts-Line-of-Blood-3rd.ed..pdf> and my Notes on the Crowley Review <http://petergardner.info/wp-content/uploads/2012/11/Notes-on-a-McMillan-Review.pdf>

21 <http://www.sbs.com.au/news/article/2016/11/18/new-push-rename-mcmillan-over-massacre-history>