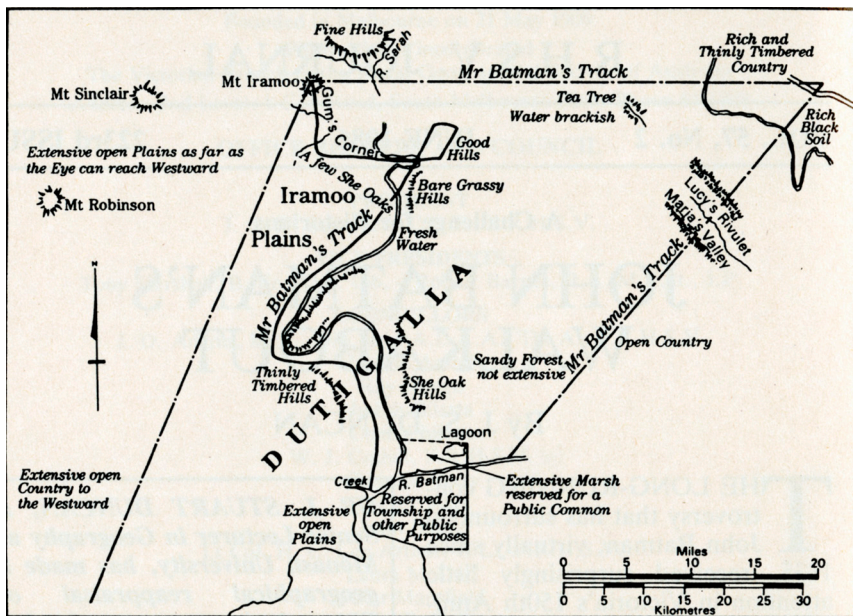


BATMAN'S ROUTE REVISITED: HIS EXACT STEPS TO A NEW TREATY SITE

John Daniels

IN 1835, JOHN BATMAN set sail for Port Phillip from Van Diemen's Land with the intention of claiming rights to pasture land for himself and his business associates. Past scholars have offered varied interpretations of where Batman and his party actually walked around Melbourne, and, therefore, where the famous treaty with the Indigenous people was signed—which is the purpose of this article. (Commentary on the meaning of the treaty will not be offered, it having been well covered by others.) The Merri Creek in Northcote was unquestioned as the treaty location after Bonwick chronicled Batman's exploits in 1863, until J.A. Blackburn Jnr controversially suggested the Plenty River at Eltham in 1885. He was followed by Sutherland (1888), who suggested the Darebin Creek near Epping. J.S. Duncan attempted to settle the matter at the time of Victoria's 150th birthday commemorations in 1986, proposing Edgars Creek in Thomastown. A.H. Campbell countered (1987) with Darebin Creek near Norris Bank in Bundoora. Most recently, Merv Lia (2008) proposed Merri Creek at Coburg Lake. Duncan and Campbell, contemporaries and members of the Royal Historical Society of Victoria, provided quite detailed, but different, accounts of most of Batman's journey. The following is a new interpretation that aims to plot as accurately as possible the exact route, and suggests a previously unconsidered location on the Merri Creek as the treaty site. In arguing this case, the interpretations of Duncan and Campbell will be reviewed and other documents examined (including settler reminiscences, maps, expert opinion and studies from a number of disciplines). Primary documents referred to throughout are Batman's



Part of John Batman's sketch map of 'Dutigalla', with a selection of his descriptive phrases. Adapted from F. Dangerfield's lithographed facsimile (1871).

diary, Wedge's map and the Melbourne deed. This article should be read in conjunction with a Melway map of Melbourne and environs.¹

The diary begins on 10 May 1835, when Batman boarded the *Rebecca* at Launceston. He arrived in Port Phillip on 29 May, anchoring off Indented Head. Having spent a number of days in the Geelong area, examining the land and unsuccessfully trying to make contact with the Indigenous owners with whom a deal could be transacted, Batman and his party headed for the northern part of the bay.

Tuesday 2 June

We made the river about 3pm ... endeavoured to get up the river but found the water not more than one fathom.

The *Rebecca* laid anchor somewhere between Gellibrand Point and the river mouth, unable to find a deep enough access. Historian Alexander Sutherland was very specific in saying that 'she lay off the foot of what is now Ferguson Street' (Melway 56 D8).²

I went on shore this evening, and found the land good, covered with kangaroo grass, and thinly timbered with she-oak ...

Having inspected the lie of the land, Batman started out by boat the next morning to find a channel, whilst a party proceeded on foot.

Wednesday 3 June

After getting everything ready this morning, left the vessel about 9 o'clock. I went up the river about five miles, sounding as we went, and found from seven to nine feet of water in the channel. I landed and joined the party. They had walked about seven miles over a grassy country, thinly wooded with she-oak and scarce another tree.

It is probable that the land party walked on high ground, in from the shore, roughly following the present Douglas Parade from Williamstown to Stony Creek where the map indicates that Batman's land journey began. It makes sense that the boat rowed out of the mainstream current and into the Stony Creek inlet for Batman to disembark, and where the creek would have been crossed by the land party. There were two prominent wetlands very close to the river on the east before Stony Creek, so Batman would have been unimpressed with the very low, swampy eastern side.³

Stony Creek is only about three miles (five kilometres) from Williamstown. So, straight away, Batman's estimation of distance must be questioned. If Batman had travelled five miles, he would have passed the junction of the Maribyrnong and Yarra rivers, which, as we shall see, he does not appear to have noticed. (The Yarra originally joined the Maribyrnong opposite Lyons Street.) (Melway 42 E7.)

In trying to determine travel distances, clothing and equipment need to be considered. As it was winter, they probably wore moleskin trousers, boots, serge shirts and over-shirts, top coats or pea jackets, and a broad belt holding accoutrements such as a pistol and a tomahawk. These would be warm and heavy. Apart from provisions and camping equipment, they carried the gifts: 'Twenty pair of Blankets, Thirty Tomahawks, One Hundred Knives, Fifty pair of Scissors, Thirty Looking Glasses, Two Hundred Handkerchiefs, One Hundred Pounds of flour'. A conservative estimate of the total weight of these gifts is one hundred and seventy kilograms. Robson, first mate of the *Rebecca*, described the party as 'armed to the teeth and loaded with as much as they could carry' and 'Batman, who carried his swag the same as the rest'. Shared between the eleven men (four white men and seven Aborigines), it equates to over fifteen kilograms

per person. Added to their equipment and food, this was a large load for eleven men to carry.⁴

In 3 June's diary entry, there is no mention of seeing the river branch to the right. Why was Batman unaware of, or did not comment on, the Yarra? On Monday 1 June, whilst in the Geelong area, he states his intention to 'proceed tomorrow up through the country for several days and meet the vessel at the river or head of the bay'. He clearly knows where he is going and that there is a river at the top of the bay, but it appears to be one river only. On Tuesday: 'I prepared to go with the vessel to the river ... We made the river about 3pm ... Near the heads of the river ... We endeavoured to go up the river ... I have hopes we shall find a good channel up for some distance ... I shall tomorrow take my departure up the river.' On his return on June 7: 'to our great surprise when we got through the scrub, we found ourselves on a much larger river than the one we went up.' This is remarkable, if, as Harcourt states: 'Both Flinders and Grimes made detailed maps ... collated and published as a single map in 1814. It was this map which Batman had during his 1835 expedition.' Rusden reported that William Robertson, a close associate of Batman, stated: 'Of course we had Flinders' chart; that is the chart we went by.' Duncan suggested that Batman's 'copy of the chart did not include the information gained by Grimes'. Regardless, it must have been Batman's intention to head northward toward Hume and Hovell's irresistible Iramoo.⁵

The Stony Creek inlet was quite wide right up to where Stephen Street would cross, if it were continuous (Melway 42 B11). So, having met Batman and crossed here, the party would quickly rise to the higher ground and head northward. Since the land to the west of, and around, the junction of the rivers was low and swampy, the closest they would come to it would be five hundred metres. If they did not see the Yarra from the Yarraville Gardens area (Melway 42 C8), facing it directly upstream as it headed south-south-west, a distance of about one kilometre, then perhaps it was not visible through the thick tea-tree surrounding it. Frances Perry, in 1848, said: 'the river is about the width of the Cam at Cambridge behind the colleges—the banks, the whole way up to Melbourne, are perfectly flat, and covered thickly with tea-tree scrub'. W. Lloyd Williams explained:

Neither Batman's party nor Fawcner's men found the Yarra at the first try, but went off up the Maribyrnong. This was most likely because the lower Yarra, though quite deep, was heavily lined with tea-tree scrub and was full of snags and half-sunken trees. It did not look very important.⁶

Batman's diary continues:

A few miles further I came to the banks of the river, which appeared deeper than where I had landed from the boat. On both sides the land open and covered with excellent kangaroo grass.

They met the river again at Footscray Park, where the terrain is certainly open and fairly flat on both sides.

In passing up the banks, passed over several rich flats, about a mile wide, and two or three long, not a tree, and covered with kangaroo grass above my knees ... It does not appear to be ever overflowed.

Rich flats abound, on both sides of the river, all the way up to the Department of Defence site, north of Cordite Avenue (Melway 27 J7). It sounds like they kept fairly close to the river, but high enough to see in the distance, and with enough twists to make it seem that a lot of ground was covered.

I followed up this river in all about twenty-six miles and found that on both sides, as far as the eye can see, open plains, with a few she-oak trees ... We did not fall in with any fresh water the whole of this day, and just at sunset, when about to stop for the night on the banks of the river, I saw a damp place.

Twenty-six miles is an unrealistic estimate since the river's water was tidal and saline up to the rocky crossing (named Solomon's, Clancy's or Canning Street Ford) described by Flemming in 1803, about thirteen miles (or twenty-one kilometres) from Williamstown.⁷

I ordered one of the men (Gumm) to make a hole with a stick which he did about two feet deep, and in less than one hour we had a plentiful supply of good soft water; and by ten o'clock this evening the hole was running over the top, the water beautiful and clear.

Duncan states that this place, named Gumm's Well by Batman, was at Medway Golf Course (Melway 27 F9). For such a hole to be overflowing with fresh water, there would have to be pressure from water running downhill. Whilst Medway is a plausible spot, there is another possibility—on the Defence site, north of Cordite Avenue. Opposite the Afton Street Reserve, about fifty metres upstream from the remnant buttress to an old bridge, is a bluestone drain that was once a small watercourse (Melway 27 K6). Joseph Raleigh built his home near here in about 1850, indicating that there was a supply of fresh water.⁸

The river varies from 100 yards to 60 yards up it, and at this place it is not more than 40 yards. I think it will get smaller as we go up. I have named this place Gumm's Well.

At both Medway and the Defence site, the width of the river is about forty yards (or thirty-six metres). But, from the eastern perimeter of the golf course, the river suddenly almost halves in width. If Batman camped at Medway, one would have thought that he would have seen and known, not just thought, that 'it will get smaller'.⁹

Thursday 4 June

After following the river for four or five miles, I went off to get a view of Mounts Collicott, Cottrell and Connolly ...

The Canning Street ford is only about two kilometres upstream of Medway and five kilometres upstream of the Defence site (Melway 27 B8). If Batman camped at Medway, he would no doubt have seen the ford in his 'four or five miles' (and it could well have been worth a comment). It is more likely that the party followed the river from the Defence site and left it before reaching, or seeing, the ford. Whilst this five kilometres is only about half Batman's estimated mileage, most of his estimates are up to double the real distance.

[T]hree emus started across a beautiful, or rather high plain. I followed the dogs for a mile or more, and saw them run for two or three miles further. When on these plains, and where I now stand ... I think I can safely swear that I can see every way over plains twenty miles distance ...

The party headed in a north-westerly arc across Sunshine North, St Albans and Kealba.

[S]till continuing on the plain for about eight miles, when we made the river again, which, I am happy to say, contained excellent water.

Given that the obvious loop on the Wedge map is Horseshoe Bend in Keilor (Melway 15 A9), it must be where they returned to the river. Therefore, 'eight miles' must also be a large overestimate—more probably a five-mile (or eight-kilometre) circuit.

We all had a hearty drink, and crossed over the river on some of the richest ground I ever saw in my life. Marshmallows with leaves as broad as cabbage leaves and as high as my head. We then crossed the river again at a native ford ...

McIntyre's or Delahey's Ford was at the end of Stenson Road (Melway 14 J10), although whether it was crossable in Batman's time is unknown. However, it is quite a distance (one and a half kilometres) before Horseshoe Bend and does not fit Batman's description of the land. A more likely crossing is just north of the junction with Taylors Creek. It is now a concreted, permanent ford (Melway 14 H8). Ray Dodd, whose family were very early landowners in Keilor, remembers that the river was not crossable in winter below Taylors Creek. To the north, on the eastern side, was rich black soil devoted to market gardens. Taylors Creek meanders in a deep, narrow, alluvial valley. Ancient Aboriginal skeletal remains were found south-west of the confluence in 1965 in a pit from which garden soil was extracted for sale. The soil was three metres deep, conducive to supporting the vegetation he describes.¹⁰

The diary is quite confusing at this point and neither Duncan nor Campbell made an attempt to explain the river crossings of this day. If they crossed from west to east and back again (at the ford), they would be facing a very steep, high bank. Considering the rich terrain and what follows, it is more plausible that the second crossing was from west to east. Therefore, it makes sense that they crossed Taylors Creek first, amongst the tall vegetation, proceeding upstream about sixty metres to the 'native ford'.

We must remember that Batman may not necessarily have recorded the events of his travels accurately or completely, writing in a notebook at the end of a day's (or half a day's) hard slog. It would be difficult to recall exact events and sequences over unfamiliar territory.

We went up a small rise of excellent soil, with grass above my knees.

The only small rise is on the eastern side, where Brimbank Park (and Dodd's Homestead) is. The western side has steep banks all the way to the Keilor Road bridge.

We then kept up the river for a few miles and stopped for the night, in a corner alongside the river. I gave it the name of Gumm's Corner.

The distance from the 'native ford' to Gumms Corner (Melway 14 K8) is about three and a half kilometres, once again 'a few miles' being a typical overestimation. It certainly fits the description of a 'corner', with the river taking a very sharp, almost right-angled bend.

Batman's route as marked on the map, at this point in particular, is an inaccurate simplification that adds no evidence to the location of the

crossings, or the distance to Gumms Corner. However, the 'Gumm's Corner' label on the map does indicate the site as being in the sharp bend.¹¹

After I got a little tea and something to eat I, with 4 of my natives, took a circuit of about 13 miles up the river, which was running in a north direction. I found the whole of the land very good with excellent warm hills and valleys with grass 3 feet high ... Walked about 30 miles today.

When Batman mentions tea, it is safe to assume that he means afternoon tea. It is very doubtful that he would have undertaken a night walk. The eastern side of the river to the north is steep, with a fairly flat plain interrupted by the upper reaches of Steele Creek (one to one and a half kilometres away). About three kilometres upstream of Gumms Corner are the gullies of Arundel Creek, which starts near the Melbourne Airport Communications Tower. The area certainly fits the description of 'warm hills and valleys' (Melway 4 H10).

Friday 5 June

Left the river this morning for W-N-W direction. The river took a north one. I intend to cross some large plains and get into tiers on the other side.

This suggests an immediate river crossing from Gumms Corner and the river can actually be crossed about fifty metres north of the Corner bend, not far from the bridge where there is no steep embankment. This area was the chosen crossing place from the first European settlement, and it is likely that Batman's party took a similar route to the original (and present) road on high ground away from the river flats, with the Keilor Plains stretching out ahead.

Crossed the plains which were very extensive on all sides as far as I could see ... Crossed three streams of fresh water and both sides of each of the banks were steep but covered with grass to the edge of the water. In some parts of the creeks the water did not run but large and deep ponds remained in the bed. The three creeks I crossed I am inclined to think is the same, running in different directions, and empties itself into the river.

The description of the creeks fits with that of the meanders of Jacksons Creek. Three crossings of the creek indicate a course towards Redstone Hill, Batman's Mt Iramoo (Melway 382 K12). In the direction they walked, Mt Macedon is almost directly in line behind Redstone Hill, which sits in front of other peaks in the Sunbury district. These are likely to be the 'tiers' that Batman mentioned earlier, and towards which he headed.

So far, the timber is the only thing I now see that is deficient. We passed a small forest about two miles in length of she-oak ...

This fits with Isaac Batey's account of the area: 'On Glencoe, the Messrs Page's station, the she-oaks started from Allison's late brick factory, and ran down into the Misses Dickens' Coldhigham Lodge estate in a forest sufficiently dense for the writer to get lost in when he was a boy.' Allison's factory was situated north of Watson's Road (Melway 352 F1); Dickens' property was at Melway 176 D7. George Duncan, current owner of Glencoe, has noted old tree stumps on his property. The party would have actually passed through this forest before making their third Jacksons Creek crossing.¹²

Ascended the top of a beautiful hill, bare of timber at the top, with a few she-oak on the sides. We have here, from where I am sitting, a view all round. I think I may say 40 miles or more each way of beautiful Plains of the best description of grass—from east to west I think there is more than 80 miles certain—and from this to the river or bay is 50 miles all plains and 30 miles due north all plains—with here and there a few gentle rising hills and valleys of the best description ...

Batey, long-time resident of Redstone Hill, recalled: 'The western slope of Red Stone Hill ... was thickly clothed with she-oaks'. They reached Redstone Hill at about noon, a distance of about seventeen kilometres from Gumms Corner, having travelled at a rate of about four kilometres per hour. This sounds very feasible for the party and roughly equates to Batman's previous travel estimates. Whilst Duncan agreed that Redstone Hill is Batman's Mt Iramoo, Campbell believed it to be Mt Kororoit (Melway 332 J12).¹³

Campbell's first suggested interpretation was the following: 'A journey in accordance with the map west from Horseshoe Bend crosses Taylors Creek and Kororoit Creek, and by turning north it again crosses Kororoit Creek'. For this to occur, Batman's party would have headed west for thirteen kilometres beyond Taylors Creek, crossed Kororoit Creek, and made a sharp turn north toward Mt Kororoit, re-crossing Kororoit Creek. In doing so, it would be obvious that the last two crossings were of the same stream and that Taylors Creek was not connected at all.¹⁴

Campbell's second theory was that 'By deviating slightly he could have crossed Taylors Creek three times'. It must be questioned why Batman would want to cross Taylors Creek three times and why, considering that it is a fairly straight waterway, he would not have realised that it was the

one stream. Campbell himself stated that ‘the third crossing being ... where the banks of the watercourse are not steep’.¹⁵

Campbell dismissed Jacksons Creek, because its ‘banks are not merely steep but are precipitous in places with exposed rock or rubble without the grass specified by Batman—nor is flow absent in places ... and Jacksons Creek is likely to have been flowing in June 1835’. However, he does recognise that it ‘is true there are large pools separated by rock-bars’. Batey wrote in 1907:

that Jacksons Creek, from 1846 to 1852, ceased to run every year from end of December or early in January until the autumn rains about April, but one season it remained a chain of waterholes until August. Since 1852 the cessation of flow has been very rare, though a few years back it stopped running for a few weeks.

Clearly, flow certainly has been absent at times.¹⁶

‘Another problem’, according to Campbell, ‘is that Redstone Hill is not on an extensive plain as described for Mt Iramoo ... Duncan believes that Batman could have loosely described the terrain as a plain but this is not a foregone conclusion’. Neither scholar actually visited Redstone Hill to witness the commanding view all around. The hills toward Sunbury seem smaller and do not interfere, the valley of Jacksons Creek likewise. Batman makes a similar grand, general statement on 2 June whilst heading towards Gumm’s Well—he found ‘on both sides, as far as the eye can see, open plains’. He doesn’t bother to mention the river, nor the ‘she-oak hills’ to the east (as mentioned on the map). The land to the east (Ascot Vale, Moonee Ponds, Essendon) is quite hilly.¹⁷

Both Duncan and Campbell use the route taken by Gellibrand (in early February of 1836) to support their respective claims to Redstone Hill and Mt Kororoit. Like Batman, Gellibrand left a diary and a map, both open to interpretation. So, as it stands, any reference to Gellibrand’s trip is unhelpful until his course is clarified.¹⁸

A major consideration in determining whether it was Redstone Hill or Mt Kororoit is distance. The travel rate from Gumms Corner to Mt Kororoit via Kororoit Creek would have been 5.6 kilometres per hour; via Taylors Creek, 4.7; and that across Jacksons Creek, 3.6. The latter best fits in with the party’s overall travel rates.

We have just seen the smoke of the natives in an easterly direction, and going to take that course.

This was Batman's first sighting of smoke. The specific purpose of this midday smoke is, of course, unknown. Was it some form of communication about the intruders? Was it about a meeting? Was it to attract the party? Was it simply for cooking or warmth? Whatever the case, it could be assumed that the Aborigines were aware of the party, especially given Batman's previous encounter (inland from Corio Bay on 31 May).¹⁹

We kept in the direction for the smoke about 16 miles over fine plains and crossed a fresh water creek—just at a junction of another running from N-N-E. We then crossed plains again and came into a small forest about 2 miles through some gum and box, that would either do for splitting or sawing, with she-oak ... We then came upon beautiful open plains with a few wattle and oak, gentle rising hills of very rich black soil with grass up to our middle and as thick as it could stand ... We came on to a small valley and to our joy found a tea tree scrub at the upper end of a small creek running s-East—here we found good water at sunset and remained for the night.

Does Batman really mean they travelled 'sixteen miles' (or twenty-six kilometres) before crossing a creek? Or, does he mean it was 'sixteen miles' overall? The former would be highly improbable. The issue of interpretation or the correct recording of events arises again. One could assume that a similar rate of travel as in the morning (about sixteen kilometres) would be a good pace.

That first creek junction was of Emu Creek and Maribyrnong River (also called Deep Creek in this vicinity). (Melway 177 A1). Open plains extended from there to about present-day Oaklands Road (Melway 177 J2). The plains merged into 'forest' that extended from Woodlands northward—a geologically distinct granitic pocket. There is remnant gum, box and she-oak in varying degrees of thickness. The 'rich black soil' begins east of this, before Mickleham Road. Their camping spot was probably in the area of the present Greenvale Reservoir where streams, converging from north-east and north-west, met in a distinct valley (Melway 179 C8). The Yuroke Creek, 'a small creek running s-East', is fed by a spring, just south of Aitken College. Tea-trees are still found here. This is about fifteen to sixteen kilometres from Redstone Hill, consistent with Batman's previous incorrect estimates of distance, and consistent with a realistic rate of travel for the day considering the tall, thick grass they contended with.²⁰

Whilst Duncan agrees with the above interpretation of this day's travel, Campbell claims the party travelled from Mt Kororoit to the junction of Deep and Jacksons Creeks (Melway 4 B4), across the southern part of

Tullamarine Airport, continuing to Moonee Ponds Creek at Westmeadows where it flows south-east (Melway 6 A7). First, it is questionable whether Deep Creek at this point could be described as a freshwater ‘creek’, not a river, in winter time. Second, to reach the junction, they would have encountered Jacksons Creek, followed it for about two kilometres, and made a sharp turn northward for about one kilometre. There would be no reason for this detour from their eastward goal. Third, to imply that Deep Creek runs from the north-north-east at this point is quite wrong. It runs into the junction from a meander to the west, this being the last of a series of meanders. Overall, it runs from the north.

Next, on this route across Tullamarine, there is nothing to account for the forest described by Batman. The area is considered plains grassland on volcanic soil. Campbell then makes an extraordinary claim that the Moonee Ponds Creek ‘is likely to have been less defined than in Batman’s day so that Batman gained the impression that he was at the “upper end” of a stream’. Campbell openly admits to ‘uncertainty concerning an open forest and the doubt about the “upper end” of Moonee Ponds Creek’.²¹

Saturday 6 June

We travelled over as good a country as I have yet met with and if possible richer land, thinly timbered the grass was mostly 3 and 4 feet high and as thick as it could lay on the ground the land quite black, we walked about 8 miles when we fell in with the tracks of the natives, and shortly after came up with a family, one chief, his wife & 3 children ...

This Aborigine, we now know, was named Morandulk, Mooney Mooney, or Old Murry, headman of the Balluk-Willam group who occupied the most easterly and southerly part of Woiwurrung land on the western side of the Dandenongs.²²

He then went on with us and crossed a fresh water creek. The land on each side excellent.

This would have to be the Merri Creek and in keeping with Batman’s overestimated travel distances, it is more like eight kilometres, not miles, from the camping spot.

He took us on, saying he would take us to his tribe and mentioned the names of chiefs.

It is at this point that the map is very misleading. Whereas previous scholars have taken the eastward line of the map to be true and interpreted ‘took

us on' to mean in an easterly direction, Morandulk could well have taken the party south-easterly, roughly following the direction of the Merri, but not within view of it.

It seems that Morandulk was aware of the meeting of the headmen. The direction Morandulk was initially heading is speculative. He could have been heading northward, following the creek, away from the treaty site, and then reversed course for Batman. Maybe he was sent to intercept the party. Alternatively, he could have been heading south to attend the meeting, not knowing its exact location. Whatever the case, he was not a signatory to the treaty.

We walked about 8 miles, when to our great surprise we heard several voices calling after us. On looking back we saw 8 men all armed with spears, etc. When we stopped they threw aside their weapons and came very friendly up to us.

It is important to note here that they travelled about the same distance south-south-easterly as they had travelled eastward to the Merri from the previous campsite.

[T]hey took us with them about a mile back where we found huts, women and children ...

The map line eastwards indicates Batman crossed a stream (the Merri Creek) and then another (not mentioned in the diary). To the east of the Merri is Edgars Creek, which runs roughly parallel. Edgars was originally named Blind Creek, meaning that it was seasonal and rather insignificant, which could explain why the diary did not mention it.²³

After they had crossed Edgars Creek, the Aborigines caught up with them and took them back to the larger Merri. If Morandulk was heading south when intercepted by Batman, he would not have known exactly where the headmen were camped. If he was heading north (having left them), not taking Batman's group directly to the headmen could well have been attributable to Aboriginal etiquette. Hallam, in her examination of Aboriginal greeting rituals, noted that 'keeping a correct distance' was important.²⁴

I found eight chiefs amongst them ... alongside of a beautiful stream of water ... Each of the principal chiefs has two wives and several children each. In all the tribe consists of 45 men, women & children.

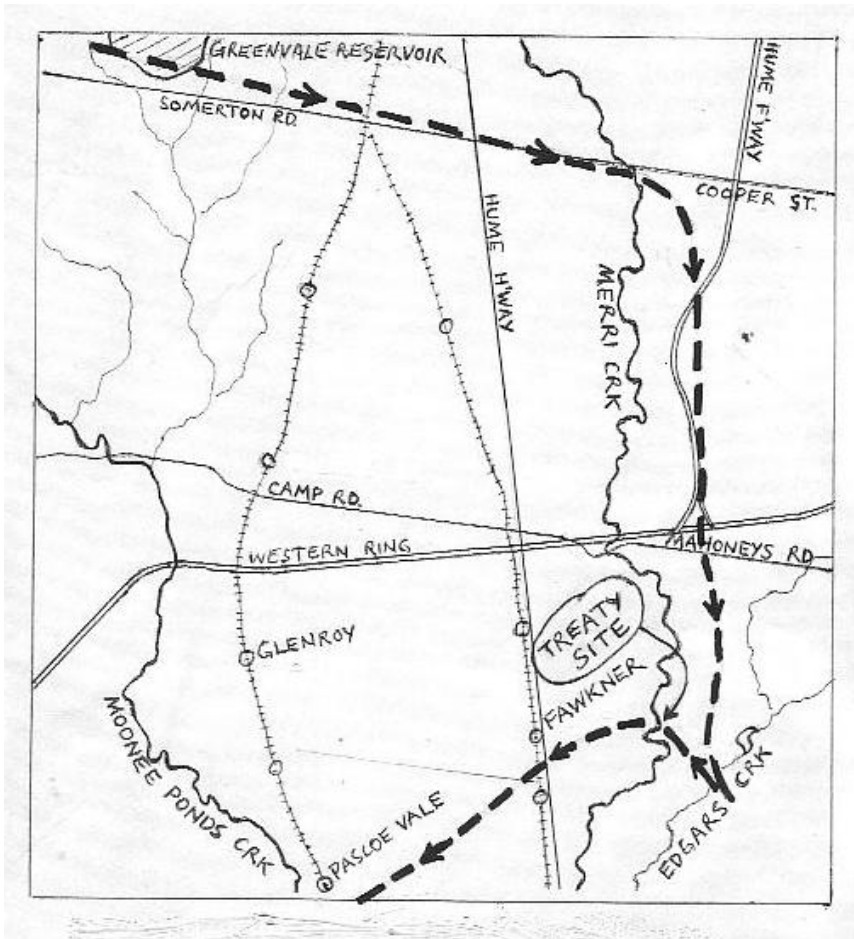
Batman's treaty deed identifies eight Aboriginal headmen. Five of these are recorded in Diane Barwick's studies. All five were members of the same large Woiwurrung group, but came from disparate territories.²⁵

There are many recorded signs of Aboriginal occupation along the Merri Creek. Aborigines could have camped almost anywhere as long as basic needs were met: shelter (both building materials and a terrain that provided protection from the wind), food, water and, in this case, space for forty-five people.²⁶

An examination of the Merri Creek's course will show a particular spot (Melway 18 A4 & 5) that bears an uncanny similarity to the drawing on the map, where Edgars Creek runs parallel, where the creek could be crossed in winter, where there is good shelter from westerly winds, and which is large enough to accommodate eight families. Also, it accords with Batman's estimated travel distance. Unfortunately, we will never know what Batman considered 'a beautiful stream of water', but here there is a sweeping bend with a gentle rise on the eastern bank and a natural stone crossing at the southern end. The western bank is steep and rocky, providing good shelter from westerly prevailing winds. It is now choked with weeds and the flow regime and water quality is dramatically different, but this spot is less altered than much of Merri Creek. The creek line has not been realigned; the original soil has not been filled over; and some remnant native grassland remains on the slopes of the east bank.²⁷

At this point, the relationship between the map and the deed needs examination.

The map was no doubt based on the diary, but had to reflect the text of the treaty document since it was to be submitted to Governor Arthur. The deed describes the land being traded as 'about 7 miles from the mouth of the river, Forty miles North East, and from thence West Forty miles across Iramoo Downs or Plains'. From Mt Iramoo (Redstone Hill), Batman stated in the diary that he travelled thirty-one miles eastwards, yet he claims forty. From Redstone Hill to the Plenty River, way beyond the Merri and the Darebin creeks, is a mere seventeen miles. From the Yarra northeast to that seventeen-mile point on the Plenty is a mere thirteen miles (yet Batman again claims forty on the deed). The deed's claims are thus far in excess of Batman's diary distances and extraordinary when compared to actual distance covered. Just as the deed's description of the land is a contrived simplification, so is the map, in that it reflects the land claimed on the deed, ignoring Batman's exact route.



John Batman's Route Revisited.
(Courtesy of John Daniels.)

The map was drawn by Wedge, in Van Diemen's Land. Apart from the diary, one must assume that it was based on Batman's memory alone, being so out of scale and simplified. The line of his walk is simplified, even contrived (especially from Mt Iramoo onward), because it served as a marker of territory to be claimed. Batman's landmarks are sound—the shape of the Maribyrnong up to Keilor, Horseshoe Bend, the curling meanders of Jacksons Creek, Redstone Hill and its proximity to the junction of Emu

and Deep Creeks, and the treaty site area. The latter depicts the shape of the Merri from what Batman saw of it. It is very out of scale and proportion, and is askew in direction, but it fits with what follows in the diary.

As stated earlier, previous scholars have Batman following the map line eastwards from the Merri, except for the proponents of the Merri-at-Northcote as the treaty site. The latter (such as Bonwick, Rusden and Harcourt) have not attempted to explain how Batman arrived so far south down the Merri. From the campsite at Westmeadows, Campbell says the party journeyed on to, and over, the Darebin Creek at Norris Bank (Melway 182 G12). He stated that Batman ‘describes crossing two creeks and negotiating a treaty with the Aborigines on the banks of the second creek’. This is a clear misreading of the diary. As we have just read, he ‘crossed a fresh water creek’ and was taken ‘about a mile back’ to be ‘alongside of a beautiful stream of water’, clearly indicating the crossing of only one creek. Campbell’s theory involves crossing the Merri, Edgars (which he also noted as ‘often dry and may have carried little water at the time’) and Darebin. Duncan maintains that the treaty site is on the eastern bank of Edgars Creek.²⁸

Sunday 7 June

Detained this morning some time drawing up triplicates of the deeds ... and delivering over to them more property on the banks of the river, which I have named Batman’s Creek ... about 10am I took my departure ... I crossed Batman’s Creek and walked through a thinly timbered forest of box, gum, she-oak & wattle but thickly covered with excellent grass.

In 1850, when J.P. Fawcner purchased Section 2 of Will Will Rook parish (present-day Hadfield), he named it Box Forest. Fawcner Cemetery is to its east, Boundary Road to the south and Box Forest Road to the north. James Watson, an early landowner, gained employment by cutting and carting wood from Box Forest to the Saltwater River (now the Maribyrnong River). There are remnant box trees in the cemetery.²⁹

Most of the land was as rich as I ever saw in my life; grass 3 and 4 feet high, and many places where a fire had been, thistles 5 feet high—impossible for grass to stand thicker on the ground.

This land is largely basalt sheet flow, typical of much of the area traversed and viewed by Batman—highly fertile, but shallow and prone to water-logging in winter; expanding and cracking in dry weather. Trees struggle to maintain a foothold. Hoddle’s 1837 map shows a number of deliberately

marked patches of 'plain' between the Merri and Moonee Ponds Creeks. One assumes that these were totally treeless areas that had been 'fired' by the Aborigines, and were noted by Batman.³⁰

We walked over this Land about 12 miles down my Side Line, in a South West direction, when we came to another creek of good water, in a most beautiful valley—which I named Lucy's Creek, and Maria's Valley—extending several miles and as fine land, and altogether a most enchanting spot.

This would be the Moonee Ponds Creek and valley. Naming the two suggests that the valley Batman saw was a distinct and impressive feature in itself, which it is. Batman could not help but be impressed by the wide valley on his approach from the high ground—somewhere in the vicinity of Bell Street (Melway 17 A11). He was impressed enough to later run his sheep and establish a hut in the valley near Evans Street, Essendon. His 'Side Line' refers to the fact that he had just transacted the purchase of the land to the west.³¹

Duncan's theory would involve crossing Edgars (which he did not see as dry and inconspicuous), Merri and Moonee Ponds creeks. That's one creek too many. Discounting Edgars Creek, Campbell's theory involves crossing Darebin, Merri and Moonee Ponds creeks. That's also one creek too many.

After leaving this we crossed some plains of good land and then came into a forest thinly timbered with gum, wattle, she-oak; the land, for the first time was rather sandy with a little gravel, but the grass about 10 inches high ...

Geological mapping indicates that the most likely crossing was between Pascoe Vale and Strathmore railway stations where a patch of basalt (conducive to the 'plains of good land') interrupts the Brighton sands group, which is predominant between the Moonee Ponds Creek and Maribyrnong River. This allowed for more vigorous tree growth as can be seen in the remnant red gum grassy woodland of Napier Park, Strathmore (Melway 16 H12). It is likely that the party would have proceeded over the high point of Essendon (Windy Hill) and followed the highest route, roughly along the railway to Moonee Ponds, down toward Union Road and, as Duncan described, 'the western end of Flemington Racecourse where Fisher Parade runs down to its bridge' (Melway 28 E12). Governor Bourke, referring to the early track to Solomon's Ford, noted that 'the first four miles leads through a very pretty country having the appearance of an English park'.³²

[W]e then made the river I had gone up a few days before ...

The course from here has been well accepted: they followed a natural

levee beside 'a large marsh' (Flemington Racecourse), south toward the original course of the Yarra, seeing to the distant left 'a large lagoon' (West Melbourne swamp), 'through a tea tree scrub very high and thick', and to their 'great surprise' they confronted the Yarra. Duncan rightly pointed out how the map had been manipulated to fit the deed by having the south-east line meet the Yarra where the city is now.³³

It was now near sunset ... so, after some time, I made up my mind that two of the Sydney natives should ... go to the vessel ... which they did, and were back again with the boat in three hours ... my travelling I hope (on foot) will cease for some time ...

Batman's travel estimate of 'about 12 miles down my Side Line' to Moonee Ponds Creek is concerning, because the distance from the suggested treaty site area is only about six kilometres. His total for the day would be about sixteen kilometres. However, one has to keep in mind his late departure time and his stated weariness after four days. Quite probably Batman meant 'about 12 miles' for the day's journey, just as he meant 'about 16 miles' from Redstone Hill on 5 June. Given that it would have been very late at night when the party reached the *Rebecca*, it is likely that Batman made his diary entry the next day and a mistake would be easy to make.

Monday 8 June

[W]e tried but could not get out of the river. The boat went up the large river ... about six miles found all good water and very deep.

Captain Harwood must have moved the *Rebecca* from Williamstown into the river and windy conditions prevented their departure. Meantime, a party took the boat up the Yarra—and found 'a place for a village'. It sounds like this was the first venture up to the site of Melbourne, although some scholars, such as Harcourt, claim otherwise and question whether Batman was on board. Batman finishes with another exaggeration of distance, this time by boat. From the river mouth to William Street would have been only six kilometres.³⁴

Aftermath

Batman returned to Launceston on 11 June and the movement of settlers and stock was soon underway. Batman died within four years, leaving a diary and a map that are open to interpretation. By the time anyone wanted to know the exact location of landmarks, no one was able to provide a definitive answer. The precise steps of the fateful walk and the site of the signing

of the only formal act of Aboriginal land dispossession in Australia will remain a mystery. However, after tracing over the landscape and examining the primary documents and all other relevant sources, I have argued that a grassy clearing on the eastern bank of Merri Creek at the rear of where Lakeside High School used to be is the treaty site.

NOTES

- 1 The meaning of the treaty covered by R. Broome in *Aboriginal Victorians*, Bundoora, La Trobe University, 2005; R. Kenny, 'Treaty or Tricks', *History Australia*, vol. 5, 2008; D. Barwick, 'Mapping The Past: an Atlas of Victorian Clans 1835–1904', *Aboriginal History*, vol. 8, part 2, 1984; Bonwick first wrote about it in 1867, supported by Rusden in 1871: J. Bonwick, *John Batman: the Founder of Victoria*, Melbourne, Samuel Mullen, 1867; G.W. Rusden, *The Discovery, Survey & Settlement of Port Phillip*, Melbourne, Robertson, 1871; James A. Blackburn Jnr, *The Locality of Batman's Treaty with the Port Phillip Natives* read before the Historical Society of Australia, 1885, *Fitzroy City Press*, January 9 1886; Alexander Sutherland, *Victoria & Its Metropolis, Past and Present*, Melbourne, McCarron Bird, 1888; J. S. Duncan, 'John Batman's Walkabout', *Royal Historical Society of Victoria Journal*, vol. 57, no. 2, June 1986; A.H. Campbell, *John Batman and the Aborigines*, Malmsbury, Kibble Books, 1987; A.H. Campbell, 'Discovering John Batman's Port Phillip Exploration', *Victorian Historical Journal*, vol. 62, no. 3, December 1991; Merv Lia, *One Creek Too Many*, unpublished manuscript, Coburg Historical Society, 2008; State Library of Victoria (SLV), John Batman, *Journal 10 May–11 June 1835*; SLV, J.H. Wedge, *Map of Port Phillip from the Survey of Mr. Wedge and Others*; SLV, *The Batman Deed June 6 1835*.
- 2 A. Sutherland, 'Early Williamstown', *Williamstown Chronicle*, 27 November 1897, p. 3.
- 3 SLV, *Contour Plan Melbourne & Suburbs*, G. Black, 1885; SLV, *Hobson Bay and River Yarra Leading to Melbourne*, surveyed by H.L. Cox, 1863.
- 4 The quantity of gifts is detailed in the Melbourne deed. The party of eleven consisted of Batman, Alexander Thomson, William Todd, James Gumm and seven Sydney Aborigines whom Batman had taken to Van Diemen's Land. As told to Rev. R.K. Ewing, Launceston 27 Sept. 1866 and reported in *Hobart Mercury*, 27 October 1934; *Cornwall Chronicle*, 28 June 1862.
- 5 Rex Harcourt, *Southern Invasion, Northern Conquest*, Melbourne, Golden Point Press, 2001, p. 14; 'Old Colonists' Association', *Argus*, 3 July 1871, p. 7; Batman's ignorance of the Yarra's existence places a question mark over the prototype deed (in Mitchell Library and believed to be the original used on the day of the treaty) which describes 'the branch of the river'. As Duncan states, 'On that day, Batman did not know that there was a branch of the river', p. 9; SLV, H. Hume's Sketch shows the Iramoo plains.
- 6 A. de Q. Robin (ed.), *Australian Sketches: the Journals & Letters of Frances Perry*, Melbourne, Queensberry Hill Press, 1983, p. 68; From bank-to-bank the widths of the

Cam River along the College Backs range between 12 m and 25 m; W. Lloyd Williams, *History Trails in Melbourne*, Sydney, Angus and Robertson, 1957, p. 35.

- 7 Whilst a ford existed, and still exists, at the end of Canning Street (within the early Braybrook Village Reserve), there was also a crossing about one kilometre upstream, at the end of North Road. These have both been called Solomon's Ford. The lower crossing has also been called Clancy's Ford after a local landowner. One must assume that the lower one was the rocky crossing described by J. Flemming. 'Journal of the Explorations of Charles Grimes', in J.J. Shillinglaw (ed.), *Historical Records of Port Phillip*, Melbourne, Heinemann, 1972, p. 24.
- 8 Duncan, p. 4; Information from Bill Paul, long-time employee on the Department of Defence site and adviser to planners/developers; Jill Barnard, Graeme Butler, Francine Gilfedder & Gary Vines, *Maribyrnong Heritage Review*, vol. 2, pp. 11-12, 2000.
- 9 SLV, *Town of Braybrook, Parishes of Cut Paw Paw and Dousta Galla, County of Bourke*, Surveyed by Cape Webster, Contract Surveyor, 1873. This map shows the early widths of the river.
- 10 Dr Steve Sinclair, Department of Environment and Primary Industry (DEPI), identified the marshmallows as probably Australian hollyhock (*Malva preissiana*) or flood mallow, which grow 1.5–2 m tall in flooded areas near the coast, with leaves 15 cm across; Ray Dodd, descendant of early Keilor landowners, provided details about the river and land use at Horseshoe Bend. The Delahey property (relatives of Dodd) was on the east of the Maribyrnong, while McIntyre's property was on the west side; J.M. Bowler, 'Alluvial Terraces in the Maribyrnong Valley near Keilor, Victoria', *Memoirs of the National Museum of Victoria*, no. 30, 1970.
- 11 Gumms Corner was added to the Register of Geographic Names, VICNAMES, in 1966. It 'was sourced from the Vicmap Topographical Map Series at the time.' Despite this, I have not been able to locate any map at or before this time that features Gumm's Corner. Also, I have not been able to locate any person who knew of this place before that time. However, I believe this to be the spot where they camped. There have been a number of versions of Wedge's map. The one referred to here, claimed to be 'Wedge's original map', could not be sourced apart from its appearance in Harcourt, p. 45.
- 12 Isaac Batey, 'The Far-Off Has-Been', *Sunbury News*, 16 May 1903; Map: 'Portion of early Parish Plan of the Parish of Holden', in D. Moloney & V. Johnson, *City of Hume Heritage Study: Former Bulla District*, 1998, p. 145; Information from Ray Gibb (Itellya) from his postings on Familytreecircles.com under *The Reddans of Holden*.
- 13 Batey, 'The Far-Off Has-Been'.
- 14 Campbell, 'Discovering John Batman's Port Phillip Exploration', p. 99.
- 15 Campbell, p. 99.
- 16 Campbell, p. 101; Isaac Batey, *The Animal-Life of the Sunbury District Sixty Years Ago*, read before the Field Naturalists' Club of Victoria, 8 July 1907.
- 17 Campbell, p. 101.
- 18 Campbell, p. 102.

- 19 On Sunday 31 May, the party headed inland from Point Wilson and found only women and children. The next day, they 'saw the smoke of the natives under Mount Collicott' in the You Yangs. Perhaps this was communicating news of their presence.
- 20 Moloney & Johnston, *City of Hume Heritage Study: Former Bulla District*, 1998, p. 94; Information provided by Troutbeck brothers, life-long residents of Mickleham; Sinclair, DEPI, identified the tea-tree as *Leptospermum lanigerum* (Woolly Tea-tree). This was, and is, common around Melbourne in drainage lines, particularly in wet spots on the basalt plain, but never over large areas near Melbourne. It is a big, scrubby shrub.
- 21 BL&A Pty Ltd., *Melbourne Airport: Airport Drive & Steele Creek North Fauna & Flora Assessment*, November 2012; Campbell, p. 105.
- 22 Barwick. The Balluk-Willam occupied the most easterly and southern parts of Woiwurrung land.
- 23 *Map of Heidelberg District*, Australian Intelligence Corps, SLV, 1913.
- 24 Conversation with Prof. Ian Clark, March, 2013; and Sylvia Hallam, 'A View From The Other Side of the Western Frontier or "I Met a Man Who Wasn't There"', *Aboriginal History*, 1983, vol. 7, no. 2.
- 25 Barwick has identified the following Aborigines and the tribes they belonged to: Jagajaga (Billibellary) of Wurundjeri-Willam; Jagajaga (Jerrum Jerrum) of Wurundjeri-Willam; Jagajaga (Murrumbean) of Balluk-Willam; Cooloolock of Wurundjeri-Balluk; Bungarie of Marin-Bulluk. The other three (Yan Yan, Moowhip, Mommarmalar) have not been identified.
- 26 Terra Culture Heritage Consultants, *Moreland Pre-Contact Aboriginal Heritage Study*, 2010: This document contains an archaeological survey of the Merri Creek Parklands by Hall (1989), which covers about 30 kilometres on both sides of the creek, but Hall noted that owing to varying ground surface visibility, only around 17 per cent of this 30 kilometres was effectively surveyed. Twenty-one stone artefact scatters, 32 isolated stone artefacts and five scarred trees were located along the creek. (Hall, Volume 2 section 6, 1989). Hall also provided maps showing the extent of fill and landscaping along the banks of the Merri Creek. These show that the banks of the creek through the vast majority of its course through the City of Moreland had undergone at least minor works, whereby the original surface of the ground had been destroyed. Extensive areas along the creek within the municipality had also undergone major works or consisted of fill. Johnston and Ellender provided the cultural heritage component prepared for Merri Creek Concept Plan, 1993. At the time of the study in 1993, there were 27 registered Aboriginal archaeological sites on the Merri Creek and only one new Aboriginal archaeological site was discovered during the survey.
- 27 Information from Tony Faithfull, IT & Strategic Projects Manager, Merri Creek Management Committee.
- 28 Campbell, p. 105–6.
- 29 J. Faulds, *A Time to Till: a History of Box Forest & Glenroy in the 19th Century*, Glenroy, self-published, 1990. p. 35; Sinclair (DEPI) provided a digital map of remnant trees in the area.

- 30 R. Hoddle, *Melbourne Surveyed Lands Northward*, 1837, VPRS 15899 5502, Public Record Office Victoria.
- 31 Hoddle.
- 32 Geological formation maps are available on Department of Primary Industry GEOVIC website; Batey states, 'There were ... lots of trees on the open lands from Essendon to Flemington', 'The Far-Off Has-Been', *Sunbury News*, 2 April 1904; Duncan, p. 8; Sir Richard Bourke, *Journal 1837*, 9 March 1837, SLV.
- 33 Duncan, p. 9.
- 34 Harcourt, p. 5.