

INTERPRETING AN IMAGE

Picturing Frontier Policing, 1838–1840

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Abstract

This note demonstrates ways in which visual evidence can be used to extend understandings of two kinds of policing introduced along the Sydney Road in 1838 and 1839. Major James Nunn's portrait points to the martial character of the Mounted Police. Henry Bingham's portrait is contextualised within an explanation that the remit of Border Police included protection of First Nations people. Nevertheless, both Mounted Police and Border Police were involved in zealously hunting suspects in the Whorouly attack of May 1840. A supplementary image illustrates how two of those suspects were brought to trial. Framed within a subsequent report, the image helps explain what Victoria's Yoorrook Justice Commission called 'the quiet, bureaucratic sanctioning of violence'.

Three pictures help explain how the colonial government tried to contain violence during the 'wild times' of the 1830s and 1840s along the Sydney Road, where 'the presence of law and order [was] considerably greater than the show of power and authority elsewhere'.¹ They point to insidious forms of administrative violence associated with the introduction of frontier policing. As the *Truth Be Told* report of the Yoorrook Justice Commission observed, 'control was maintained not just by the mounted police or the gun, but by the quiet, bureaucratic sanctioning of violence'.²

The formal studio portrait of Major James Winniett Nunn, commandant of the Mounted Police, hangs in a magnificent gold frame on permanent display at the State Library of NSW (Figure 1). Roger Milliss points to the pomposity of the portrait.³ Nunn is portrayed as slim, handsome, dapper. His plumed cap sits tall on his head. The colours of his sash, cummerbund and epaulettes, as well as his shoulder and neck pieces, match those of his regimental banner. He has a ceremonial sabre.

He is an active soldier, strutting forward in the field. Historian Stephen Gapps interprets the picture as an attempt by Nunn to rescue reputation of his military career, blighted by his involvement in the Waterloo Creek massacre of January 1838.⁴



Figure 1: Major James Nunn, Australian Mounted Infantry 1837–46, oil painting attributed to Joseph Fowles, c. 1840 (Courtesy State Library of NSW)

A similar studio portrait of Henry Bingham, land commissioner of the Murray District, supplements but complicates readings of the first (Figure 2). Unlike Nunn, Bingham was not a military man but seemed to enjoy the trappings of his office. His formal uniform is also lavish. He is portrayed bare headed, reclining and in a pensive mood. His tall, strong horse, saddled and prepared with side arms, dominates the background and indeed the picture. Historian Roger Milliss reproduced the portrait without comment. Instead, he explained that Bingham was well regarded as a commissioner. He was a good bushman and an energetic

government officer who interacted well with First Nations people.⁵ Indeed, Bill Gammage decided that ‘Bingham was unquestionably one of the most sympathetic Europeans ever to contact the Wiradjuri’.⁶



Figure 2: Commissioner Henry Bingham, oil painting attributed to Thomas Balcombe, 1840s (Courtesy State Library of NSW)

The primary function of Nunn’s Mounted Police was to protect the expansion of European settlement by suppressing Aboriginal attacks on European persons and property. Settlers drew confidence from their presence but balked at their martial character. Nunn’s Mounted Police were eventually disbanded because they were ‘too showy, too military’ and paid little heed to civilian authorities.⁷

Border Police units under the command of land commissioners such as Bingham were also formed to help settlers take possession of the land but had instructions to protect First Nations people.⁸ Nevertheless, there were gaps between policing policy and practice, for: ‘The reality of Aboriginal resistance required that police employ violence to impose peace.’⁹ Under Bingham’s command, and then that of Major Samuel Lettsom, Border Policemen, supplemented with Mounted Policemen and specially recruited stockmen, played major roles in zealously hunting suspects involved in the Whorouly attack of May 1840.

The third picture, a rough pen and ink sketch, gathers force from the text in which it is framed in Chief Protector George Augustus Robinson's journal (Figure 3). It gathers even more force when framed within report of a subsequent court investigation.¹⁰

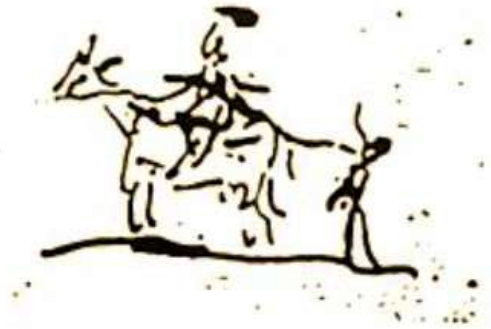


Figure 3: Robinson's sketch of an Aboriginal man (Minnup, aka Merriman), shackled around the neck, handcuffed and being dragged forward over uneven ground. Pen and ink sketch by G.A. Robinson, 1840 (Source Ian D. Clark (ed.), *The Journals of George Augustus Robinson*, Heritage Matters, Melbourne, 1998, Vol. 2, December 1840, Figure 12.1, p. 48)

At Melbourne gaol in 1840, Robinson met two of the arrested Whorouly suspects. Each complained he had been dragged by a neck chain from the Murray River to Melbourne. One, Jaggerrogrer (aka Harlequin) died from 'excessive exertion'. The other, Minnup (aka Merriman), survived a separate, slower trip and described how both men had been conveyed. Robinson protested about the cruelty, and Superintendent La Trobe ordered him to investigate the death of Jaggerrogrer.¹¹

Five months later, Thomas Connock and Michale Goodwin, the troopers escorting Jaggerrogrer from the Goulburn, were indicted for manslaughter. The court was told that no white prisoners were secured with a neck chain, but otherwise the escorts were kindly. Both the first escorts from the Murray, then the second escorts from Broken River, had allowed Jaggerrogrer to ride on the back of a horse for at least some of the way where the country was rough. However, Jaggerrogrer walked the whole way from the Goulburn and at an increased pace across the Divide to Melbourne on two very hot days. Connock and Goodwin, the third set of escorts, were instructed to move him quickly as he was not well.

Summarising proceedings, Justice John Walpole Willis told the jury that there were no 'culpable excesses' in the way the escorts had carried out their orders. Indeed, they had 'conducted themselves very fairly and creditably throughout the journey'. Without retiring, the jury returned a verdict of not guilty, 'at the same time deeply regretting that the life of a human being had been wantonly sacrificed'.¹² This was an unfortunate death in custody.

Historian Jane Lydon has argued that images may serve recuperative purposes, helping recover glimpses of First Nations peoples' experiences of colonisation. Some such images prove to be powerful. Citing Susan Sontag, Lydon says, 'narratives can make us understand, but photographs may do something else: they haunt us'.¹³

We have recently prepared an online resource to help local border district schools and community historians deal with the topic 'Aboriginal Peoples' Experiences of Colonisation', which in 2027 becomes mandatory in secondary schools nationwide.¹⁴ The two studio portraits may, for pedagogic purposes, stay in the mind. However, the sketch by a sympathetic draughtsman drawn under instruction from a tearful First Nations man mourning the death of his brother prisoner may haunt us.

Notes

- 1 Richard Broome, *Aboriginal Victorians: A History since 1800*, Sydney, Allen & Unwin, 2nd edition, 2024, pp. 1–94; Marie Hansen Fels, *Good Men and True: The Aboriginal Police of the Port Phillip District, 1837–1853*, Melbourne, Melbourne University Press, 1988, p. 172.
- 2 Yoorrook Justice Commission, *Truth Be Told*, 2025, at https://cdn.craft.cloud/06ad3276-b3d9-4912-bcbb-37795aade9a8/assets/documents/Yoorrook_OPR_Accessible_Print.pdf, p. 58, citing <https://www.yoorrook.org.au/submissions/submission-dr-william-bill-pascoe>.
- 3 Roger Milliss, *Waterloo Creek: The Australia Day Massacre of 1838, George Gipps and the British Conquest of New South Wales*, Melbourne, McPhee Gribble, 1992, frontispiece and pp. 13–15.
- 4 Stephen Gapps, *Uprising: War in the Colony of New South Wales, 1838–1844*, UNSW Press, Sydney, 2025, pp. 44 and 264.
- 5 Milliss, pp. 146–8. See also 'The Poor Blacks Again', *Sydney Herald*, 30 October 1840.
- 6 Bill Gammage, *Narrandera Shire*, Narrandera, Narrandera Shire Council, 1995, pp. 36–7.
- 7 Hazel King, 'Some Aspects of Police Administration in New South Wales, 1825–1851', *Journal of the Royal Australian Historical Society*, vol. 42, no. 5, 1956, p. 226.
- 8 Patricia Downes, 'Soldier Convicts and the New South Wales Border Police, 1839–1846', *Journal of Australian Colonial History*, vol. 25, 2023, pp. 1–26.
- 9 Amanda Nettelbeck & Robert Foster, 'Reading the Elusive Letter of the Law: Policing the South Australian Frontier', *Australian Historical Studies*, vol. 38, no. 130, 2007, pp. 296–311.

- 10 Kate Auty, 'A Contemporary Perspective on Colonial Land Theft: Battlefields, Bar Tables, Bribery and Ballots', *Victorian Historical Journal*, vol. 96, no. 2, December 2025, pp. 395–6.
- 11 Bruce Pennay, 'Interpreting an Image: George Augustus Robinson's Yass to Port Phillip Road, 1840–1844', *Journal of the Royal Australian Historical Society*, vol. 110, no. 1, June 2024, pp. 90–7.
- 12 'Supreme Court, Criminal Side', *Port Phillip Patriot*, 20 May 1841.
- 13 Jane Lydon, "'Behold the Tears": Photography as Colonial Witness', *History of Photography*, vol. 34, no. 3, 2010, pp. 234–50.
- 14 Bruce Pennay with Yalmambirra and Paul Grover (eds), *Investigating Dispossession: Conflict and Coexistence*, Albury, Albury & District Historical Society 2025, at <https://alburyhistory.org.au/investigating-dispossession/>.

REVIEWS

Dhoombak Goobgoowana: A History of Indigenous Australia and the University of Melbourne, Volume 2: Voice

Edited by Ross L. Jones, James Waghorne and Marcia Langton. Melbourne University Press, Melbourne 2025. Pp. 544. \$39.99, paperback and free downloadable pdf.

The words 'Dhoombak Goobgoowana', the title of two volumes that explore the relationships between Indigenous people and the University of Melbourne, translate as 'truthtelling' in the Wurundjeri Woi Wurrung language of people of the Kulin nation. The second volume of this groundbreaking publication—'Voice'—builds on the searing examination of 'Truth' found in Volume 1.

It should come as no surprise that this volume is called 'Voice'. It is a reprise to the 2023 Referendum. There, Indigenous people asserted the need for and benefits of a voice in the making of decisions for and about them. This collection illustrates the obvious and culturally grounded benefits that flow from the recognition of the intelligence, entrepreneurship and critical insights that come with embracing Indigenous leadership.

The front cover of 'Voice' shows Wurundjeri elder Uncle Bill Nicholson teaching a diverse group of students at the traditional ancient greenstone quarry Wil-im-ee Moor-ring. The subject—'On Country, On Campus: Wurundjeri'—has been available to University of Melbourne students since 2020. It took a long time to get here, but, as 'Voice' shows, this change has been driven by many Indigenous leaders and some purposeful allies. 'Voice' describes the process that led to the establishment of the 'On Country' course and to so much more. It is a celebration of the achievements that have emerged as an expression of will and culture. The former vice chancellor, Duncan Maskell, talks of the 'vital role' and 'unique contributions' of Indigenous people at the University. 'Voice', he writes, will 'surprise many'.

The text is broken into three parts, each building an understanding of the changes that have taken place. 'Museums and Collections' is followed by 'Staff and Students' and then a study of the partnerships that make people and the University stronger in 'Working Together'.