

The Myall Creek trials (2)

There were two trials following the Myall Creek massacre.

In the first trial 11 men were captured and charged with the murder of one of the Aboriginal men. Despite almost overwhelming evidence, they were found not guilty.

The men had burnt the bodies and destroyed most of the evidence, but a child's rib bone was recovered. This could now be used as evidence for a new trial.

The second trial

The Attorney-General ordered a second trial. In this trial, only seven of the men were charged with the murder of a child unknown.

After hearing the evidence, the jury delivered a verdict of guilty.

Judge Burton said:

Prisoners at the bar, you have been found guilty ... of the murder of men, women and children, and the law of the land says, whoever is guilty of murder shall suffer death.

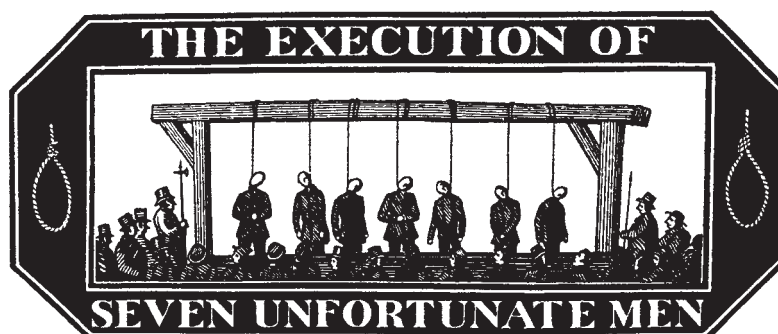
From the Sydney Herald 12/12/1838

Responses to the verdict of the second trial

- The *Sydney Monitor* argued that the guilty men should be executed.
- The *Sydney Herald* argued that the guilty men ought not to be executed.
- The guilty men were, in fact, executed by hanging.

The lives of the executed men might not have been sacrificed but for the Governments of this Colony who refused protection to settlers, and by this refusal give rise to massacre.

Adapted from the Sydney Herald 26/12/1838



A view of the execution from an Australian newspaper of the time.