

Chapters 8 & 9

KENBI LAND CLAIM

pp. 200 - 224

to vacant crown land in the Cox
Peninsula Bynoe Harbour and Port
Patterson areas of the Northern
Territory of Australia

by

The Northern Land Council on behalf
of the traditional owners

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Cover design by traditional owner Olga Singh

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8. ABORIGINAL USE AND OCCUPATION OF
THE CLAIM AREA

The earliest historical references in 1819 and 1839 (King 1827:270 and Stokes 1846:28) place Aborigines in the claim area and in the near vicinity. (If King was correct the Dutch saw Aborigines here much earlier in the 1640's.)

Brown (N.T. of S.A.:1906:8-9) notes Aborigines in camps on the beach at Point Charles on the Cox Peninsula and says "the blacks wander up and down the coast and round the islands hunting alligators, turtles and dugong Point Charles is a place of general rendezvous for them". In June 1905 his ship was becalmed off Quail Island and crept slowly down the chain of islands at the west of Port Patterson. He noted Aborigines on the beach and sent a boat to pick up two men to act as guides. He did not succeed in acquiring guides until he reached Point Blaze where he took on board two Wagaidj-speaking men (ibid.:10). One of these spoke three native dialects (ibid.:11). These men and his guides (from two different language groups - Larrakia and Wagaidj) used to sing together and play the didgeridu on board each evening.

In 1906 H.W. Christie (lighthouse keeper at Point Charles) describes a trip he made to the Daly River. He took Larrakia people as far as "Grosse" sic Island, where he picked up two Wagaidj speakers to make the remaining journey (Christie 1906).

In 1916 Beckett (Australia 1916:6) says of the island group that the Larrakia and Wagaidj share them as hunting grounds.

The Larrakia name "Demmenmurra" (T.J. Worgan, Acting Director, Land and Survey Department, Darwin to the Administrator, Northern Territory, memo dated 2 November 1915) is recorded in reference

grandparents or some of the older people of what our people used to do in those days

Even though our food came from the shop most of the time while we were in Darwin, even the skills handed down from our parents, how to hunt for turtles, fish, crabs, kangaroos and how to dig for yam and turtle eggs, we haven't forgotten all those things, it's in our blood.

She describes how in 1973 some sixteen people from her family resident at Belyuen and in Darwin set out to make a road to a favoured coastal campsite. They followed an old footpad through the bush, guided by her grandmother:

Sometimes I thought that if we hadn't cut the road to "Boombi" there wouldn't be any road there at all now, but it took a lot of hard work, sweat, cuts and burned feet to go down there and make a road.

This is our Father's Country [sic] and also our country and we've been roaming around here for as long as anyone can remember.

My father Willie Singh, although he was a part Aboriginal, was a skilled hunter in the Aboriginal way in his time and even took part in the ceremonies that were held at Belyuen. He's also well known throughout the top end of Arnhem Land as a ceremonial leader as well as a dancer.* My father was initiated in two ceremonies, Larrakia and Ami and he could not read or write the white man way... . He was proud to call himself a "Kiuk" or a "Wagait", as we are proud to be called today.

* This was confirmed by the late Professor A.P. Elkin in 1949 and in a personal communication to M. Brandl in 1979.

When I saw all the bones standing up like that, oh, I felt ashamed! I said, "What happened? They're all Aborigines. One of them was my uncle." I said "Why do you people never think about that?" We were in school when they buried my uncle there. My uncle said "Bury me over there at that place Wanggigi." But they put the bulldozer through. We reported it to Mr. Giese, but he didn't say anything. "Oh, it's all right. We'll fix it up." ... but where did they put the bones of my uncle?

About Duwun, she said:

That country, we want to look after it... we don't want to destroy that country and spoil it We don't destroy the country.

About hunting and foraging she said:

Aborigines don't kill too many. We don't rush for it. We have to stand back and not rush for it.

Carol Collins, granddaughter of Harriet Shepherd, an aunt to traditional owners, the Secretary family, told us she did not wish to claim land on the Cox Peninsula, but she was anxious to be able to hand down to her two sons whatever she could of her Aboriginal traditions from the Larrakia. Both she and they are deeply interested in their heritage. (See Figure 4.)

Lorna Tennant and her brothers, of the Singh family, grew up in the claim area* and moved away for schooling. They have all returned to live permanently. During their time in Darwin they came as often as they could to the peninsula. Lorna says:

You know how we used to travel from Darwin before we came home to live (I mean, came back to Belyuen to make it our home again), but will other people see this, those against the claim?

Or, again -

When we take our annual leave each year, we never go south to the big smoke.⁴ We're quite happy going bush.... . listening to the tales of the early days told to us by our

* Professor R.M. Berndt confirmed the presence in the claim area in 1945 and before of two Aboriginal Chinese families, the Singhs and the Choms (Margaret Rivers and her sisters, including Lorna's mother, were named Chom before their marriages).

Maudie Bennett has said many other things, too, about the land she knows so well. For example, near Imalug, now settled by non-Aborigines on a number of freehold blocks she said:

This is where we used to camp, poor bugger this place.

About the claim area at Djigeridjigeri she said one day:

We never go to any other place, we were born this place, we grow this place, we never go away. Even the war and bombs don't stop us.

A number of people of part-Aboriginal descent have an interest in the claim area because of their mother or some other close relative coming from that area, or because they themselves were born in or near it.

Margaret Rivers has been going to Dum-in-mirrie Island and other islands in the area since she was born.

We've been going back and forward since I was a kid with Mum, Gudang. Then she died and then I went with her sister and we are still going there until now.

She also said of people of Belyuen:

They love the country and that's why we don't give it to anybody this land.

Moffat [i.e. her sister, Kitty] and I have been back and forward over all that country ... I don't want people destroying the country because we like everything... If they ruin the land it's no good when they go. If they mine the land it's no good for the people. We go back again to that country and no, it's not the same land. That's why I say we can't leave that country ... me and Moffat.

Dum-in-mirrie is Aboriginal land, Larrakia, but we're all right there, Larrakia and Wagaidj are all right ... We don't want to ever fight ... Larrakia have been very good people.

About the excavated gravesite* at Wanggigi she said:

* Excavated gravesites are a theme in the events of the claim area and nearby. In 1869 Goyder's surveyors found a burial place on the north bank of the Elizabeth River in Larrakia territory (Kerr 1971:75). They constructed a landing place for boats there.

Most recently in Darwin a gambling casino is being built over an old Aboriginal burial ground.

face of extraordinary pressures. They are direct statements of sentiments we can only infer from documented sources.

In December 1976 Bill Ivory, a Department of Aboriginal Affairs officer, visited Belyuen to discuss the Cox Peninsula land claim. He records that the now dead Tommy Lyons spoke about a number of sites on the "peninsula that he often worries about in case they get damaged by unknowing persons, or that harm will come to the whole area because of persons venturing too close to the sites". He also mentioned the site of Waryn as being dangerous:

This site is associated with "Nungaliny" (Old Man Rock) in the Darwin area and is supposed to be the living place of a sacred being that is feared by many people. When people go past the site they paint themselves with ochre and whistle loudly so as not to surprise and anger the being (Ivory 1976).

The traditions about Old Man Rock linger. Delfin Cubillo told us a story from his mother's mother, a Iarrakia woman from the claim area. Old Man Rock had travelled to where he is now, said Delfin, and it is dangerous to approach.

Once when we asked Topsy Secretary about the frog dreaming, she burst spontaneously into a song called Ngadbangadba, about the frog dreaming at Wudud, which is linked with Dariba Nunggalinya at Casuarina.

At the site of Waryn on the two occasions we visited there, the senior person present addressed the rock, warning it of the presence of strangers. On the first occasion Maudie Bennett, Betty Bilawug, Eric Martin*, Peggy Wilson and Alice Djarug expressed concern about the apparent shift in the rock's position and explained it as a result of Imabulg's death. "I heard that durlg call out the night the old man died", said Maudie, referring to her husband's death.

Roy Yarrown spent the period of his "long service leave" (from employment) at Buwambi and all the islands hunting, fishing and foraging with his family, and teaching the children in particular.

* A man of the Ami language group.

... ceremonies have not stopped. They give a good chance to get young people out bush. Straighten them out, stop stealing and so on. Teach them to help others, make better Aboriginal people of them. Ami, Manda, Brinken and Wadjiginy all went through a Iarrakia ceremony. They share in each other's ceremonies.

Maudie Bennett and other senior women still organise initiation for girls and they are taken into the countryside for "training"*.

Mortuary rituals are still held and, as with initiation rituals, people journey to and from neighbouring areas to fulfil their responsibilities for these.

Strength of attachment

These actions demonstrate the strength of the attachment held by living people in the claim area to the land and its heritage.

Attachment has already been shown implicitly throughout this claim book and will receive more attention in following chapters, where we give evidence of how people use the country, how well they know it, and what their future plans are for it. We will conclude this chapter with some statements by traditional owners and others with an interest in the claim area which indicate how strongly they feel about it and what happens on it and to it. We noted many such during the field research, from many different contexts and from Aboriginal people of diverse backgrounds. We feel they are most appropriately presented here, at the conclusion of the account of the persistence of ceremonial traditions (which are fairly well-documented), because they reflect the same imperatives, the same sentiments that have impelled the continuity of ceremonies in the

* It is worth noting here, after the statements of Roy Yarrown and the bush being used for training purposes, that it is a widespread and firmly held belief among Aboriginal people that close acquaintance with the environment has a stabilising and salutary effect on social restlessness. One north-east Arnhem Land person put it this way to M. Brandl - "Out there we can get back to our foundation, to our roots".

including water-lily roots. The claimants said there are so many types of food there that "it would take two days to name them all".

On 16 July 1979 the following people came with us to map the Buwambi area of Bynoe Harbour and Cox Peninsula:

Maudie Bennett
Olga Singh
Peggy Wilson
Betty Bilawug
Alice Djarug
Marjorie Knuckey
Caroline Lippo
Prince of Wales
and three children

At or near Buwambi the following food can be procured:
turtle (inggarany), mullet of three types (djinbarag, wurindji and malagardarr), long- and short-necked tortoises (ngamenya and djanggan), stingray of various types (iridjberam, djumbun, igedj baberrabudj, diring, buldja, wuldjeri), shark of various types (wangga, walagagay, djimbilimiba), shellfish of various types (igwarr, miba, wing and djamabul), sea-procupine (walgan), goanna (ngarran and milwany, and bangarr), white apple (bumbadjag), black plum (mura) and many others.

It is worth noting in both these examples that the foods named come not only from the land and the sea, but the intermediary zone of mangroves and mud flats, and reefs.

While at Buwambi Maudie told us how ceremonial paraphernalia were made with items from the bush.

Tail-feathers from the emu (ngurrun), wild turkey (muyingag), and a parrot (wadarridj) are used. Wandarra (white cockatoo), dirrmal (black cockatoo) and ngalambug (goose) are other types of feather ornaments. Bulgang is a hair-belt worn by men. We saw Harry Singh wearing one of these during the boys' initiation ceremony at Belyuen.

Men and women wear an arm-band, djalara, made of a bamboo-like plant found in creeks. Young men wear a head-band (galamba) made of a kind of plaited rope. Garradada is a breast

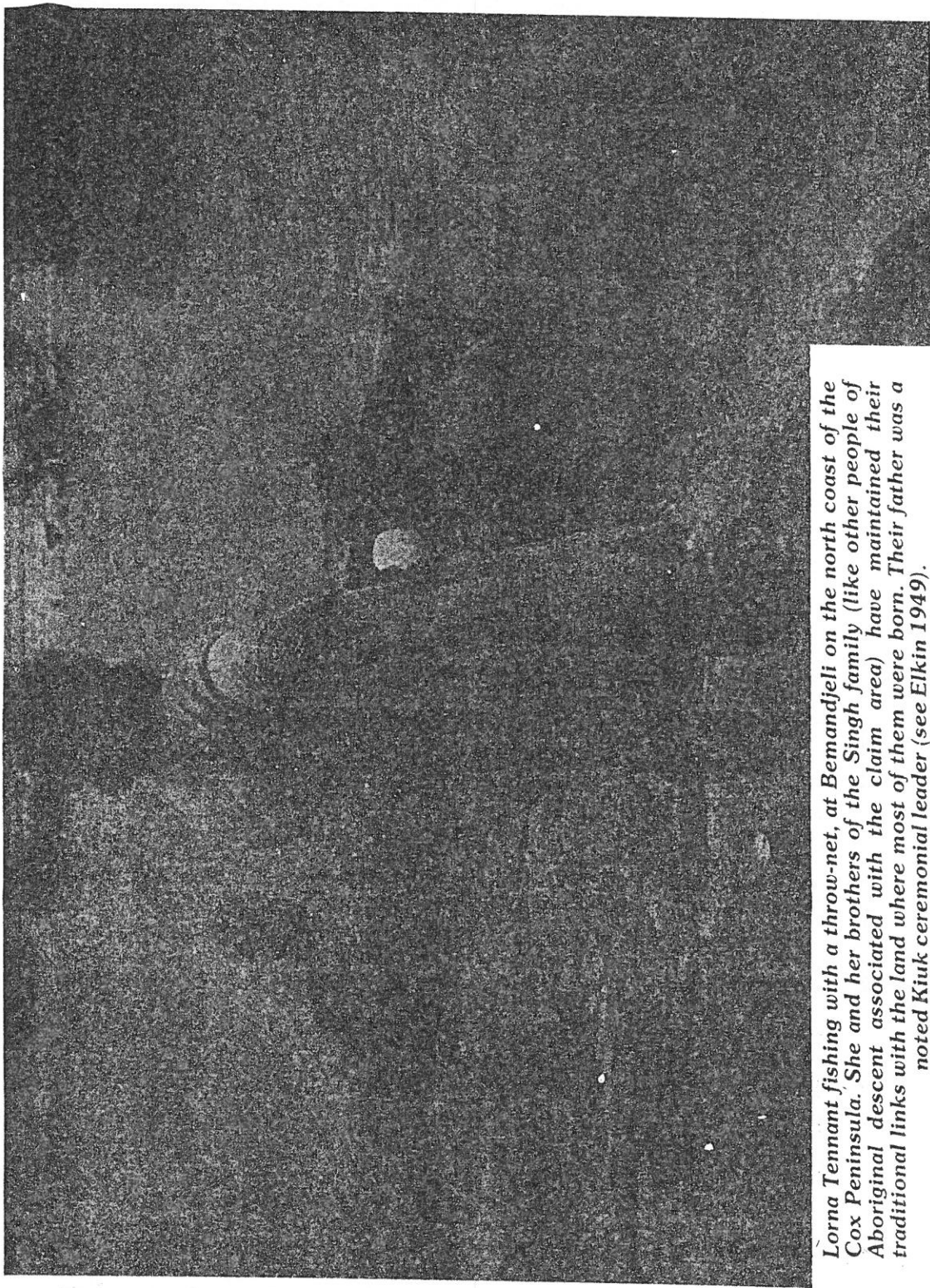
girdle, a kind of bush-rope, made from the banyan tree. Gurrug is a ball of wool-like fibres worn about the neck like a dilly bag or wargardi woven from grass found near billabongs.

On the way to and from Buwambi and Rankin Point, Maudie Bennett named the many varieties of bush plants and trees we saw in passing. Here is the list she gave us: djuwundju (cycad palm, the nuts of which were formerly a staple food and often used at ceremonial time), wumbarra, djamal, both types of palm; wunun, a plant used to make forked and hook spears, and for the woomera; bandala,* used to build shelters, make didgeridu and for bark paintings; milwanmin, the silky oak whose yellow flower is shaken for its nectar; garbung, the red flower of which is eaten; denwin, the milk of which is used as an underlay for painting; menangbarra, which has a plum-like fruit; melbarra, with an edible fruit; djuwangba and ganmalal are types of plum; melawin, a type of ironwood used for spears; djamadbawin, used like tobacco; djandjag a milkwood, used in painting; galwag, and wurang found in rainforest, are ant-bed used to cook with, which when burned ward off mosquitoes; some pandanus are yuraidj, with the fruit ngug and manggarra is a type of wattle.

During June, July and early August, when we were mapping the claim area, turtles were laying eggs and these provided a constant source of food. Turtles are not hunted while on the beach laying, we were told. When the pandanus nut ripens and falls is the time to begin collecting eggs.

Apart from the many varieties of shellfish which are always abundant, crab is a ready food source. Crabs are "fattest" at the time of the full moon, but are hunted at low tide at any time of

* Alice Djarug, Betty Bilawug and Eric Martin at other times during our work collected this and made didgeridu from it.



Lorna Tennant fishing with a throw-net, at Bemandjeli on the north coast of the Cox Peninsula. She and her brothers of the Singh family (like other people of Aboriginal descent associated with the claim area) have maintained their traditional links with the land where most of them were born. Their father was a noted Kiuk ceremonial leader (see Elkin 1949).

month too.

Wallaby (muwidj) and goanna (ngarran) are always there to be hunted and wild pig were caught in July by the Singh brothers. Those who have boats can always catch fish and many species were named to us.

Fruits and nuts and root foods are seasonal, yams for example are obtainable from about April to October and water-lily roots in the wet season. As the claimants have pointed out these bush and sea foods have remained attractive to people who have little other access to fresh meat and vegetables.

The sixteen square miles of reserve land about Belyuen (Delissaville) are not sufficient to support the hunting and foraging requirements of Aboriginal people on the claim area used to moving over the Peninsula and through the islands*. Claimants and Belyuen residents have a living tradition of land and sea use in the claim area, underpinned by their knowledge of the religious attributes of the land and the sea and their species.

Strength of attachment

Despite people being very familiar with the resources of this area and their interest in foraging, they no longer like to go to many places. For example, along the road to Buwambi and Rankin Point notices warn that entry is restricted to the Bynoe Industrial Holdings there. Belyuen residents have pointed out that a lake of waste from the mineral processes has formed over what was a mangrove and rain-forest area. When the late Tommy Lyons saw these activities, so close to his own durlg and maruy, wilar and danggalaba - at Rankin Point, he had been very worried. Maudie named two former DAA officers at Delissaville who had "helped him

* In 1956 District Welfare Office Penhall recognized that too, when he recommended that the whole of the Hundred of Bray except for some freehold land and the Army Reserve be set aside as an Aboriginal reserve (L.R. Penhall to Chief Welfare Officer, Darwin, memo dated 17 May 1956).

fight" - we assume protest - about the mining. Mining activities in this area are threatening its sacred significance and continue to distress the Belyuen community and members of the danggalaba clan in particular.

In other places on the Peninsula too and in the island area, the landscape does not provide the resources it used to before non-Aboriginal activities in the area increased. Thus, at Wanggigi (or Mandorah) an old well no longer functions because of the movement of earth for building, and a patch of rain-forest has gone entirely. (When the swimming pool at the resort there was built, many old graves were dug up, causing distress to surviving relatives.) The bombing of Duwun (or Quail Island) has concerned environmentalists as well as its Aboriginal owners, as has the dredging of Bynoe Harbour (Mining Warden's Report 1976, from M.A. McDonald to the Administrator, report dated 27 May 1976 and see also Australia 1976a).*

Other parts of the Peninsula are alienated as freehold land and Belyuen people avoid these places.

The changes in the landscape and lifestyle of local Aboriginal people brought about by the presence in and use of the area by non-Aborigines has never gone unnoticed by the local Aboriginal people. It has not been until recent years that they have been in a position to do anything about it. Many earlier protests went unrecorded but one is to be found in W.E. Harney's reminiscences of his early days in the Northern Territory. He tells (n.d.:178) how "Old Argok" (mother's brother to Margaret Rivers and father's brother to Bobby Lane), who used to have fish-traps on "the Cullen Beach" [Kahlin?] was very annoyed at being removed from what he considered to be his country to Bagot Reserve.

* These and other statements concerning the damage to beach and mangrove areas in Darwin and Bynoe harbours are in file 2 "Technology Sandmining" of the Northern Territory Environmental Council, Darwin.

Another recorded in government files (from E.C. Evans, Chief Welfare Officer to the Director of Welfare, memo dated 21 February 1957) is by Harry Morgan, a part-Aborigine related to claimants who "refused to go to Croker Island as it was out of his country", when in 1957 sickness confined his wife to East Arm Leprosarium.

The bombing of Duwun (Quail Island) from 1942 certainly roused a movement for land rights among local residents earlier than similar movements elsewhere. Willey (1964:167) says, "For years the Waugites, a saltwater tribe who live on the coast between Darwin and the mouth of the Daly, had muttered about the use of Quail Island by the RAAF as a bombing range", and records Roy Bigfoot (or Burrburr) among those claiming the island on traditional grounds.

From the early 1970's members of the danggalaba clan and others with responsibility for land in and near the claim area have worked for recognition of their traditional rights (see N.T. News during 1971-3; Banji; Hansard, dated 29 April 1971, and Buchanan 1974). Several of these have attracted a lot of attention from the media. A "sit-down" on Duwun by Roy Madbulg, Billy Mandji, Norman Barral and Richard Rankin protested the bombing there. They were assisted in their travel to and from the island by Kenny Hewitt, married to a descendant of Agug (mentioned already in this section - Harney's "Old Argok"), and by Teddy Cooper, who was raised by Billy Belyuen a member of the danggalaba clan. This man instructed George Munggalu to "look after" rituals and associated land.

From 1971 danggalaba clan members and their kin have moved constantly for title to Kalalak in the Darwin area. They recently gained title to a small portion of the area originally requested, but a highway is now being constructed very near to it.

In 1973 thirty Aborigines from three linguistic groups (Larrakia, Wagaidj and Brinken) claimed twenty acres of two sacred

sites, Gundal and Madlamaning, on a ceremonial site inside Larrakeyah Army Barracks in Darwin.

The Northern Land Council records have many references to the wish to lodge a claim on the Cox Peninsula by the Belyuen residents over the last six years.

During the enquiries of the Woodward Commission people at Belyuen made known their attachment to the area (Australia 1975b). In 1976 a claim for the Cox Peninsula and neighbouring islands was lodged with the Interim Land Commissioner (Muller 1977). About this time Ivory (1976) records Tommy Lyons' concern for a number of sites in the area that could be damaged by unknowing persons. Interference with these sites could bring harm to the whole area, he feared.

Government activities (as well as those of fishermen, miners, and holiday-makers) have restricted the access of Aborigines to parts of the claim area. The bombing of Quail Island from 1942 meant people did not want to go there nor, in safety, to nearby islands, and indeed they were prevented from going there:

... we will continue the present arrangement which provides for the complete prohibition of movement in the area of natives from Delissaville and, as far as we can police the surrounding areas, we will see that natives who may camp at other points in the area (Two Feller Creek and the mouth of the Finnis River) do not visit the area ... In conclusion I should like to say that you can expect the full co-operation of my officers in maintaining the prohibition of this area and doing all that we can with the resources at our disposal to see that natives do not at any time visit Quail Island (H.C. Giese, Director of Welfare, Darwin, to Group Captain D.R. Chapman, Officer in Command, R.A.A.F. Darwin, letter dated 15 February 1961).

Radio Australia has large-scale installations in the Point Charles and Midjili areas. These are bounded by fences and locked gates for security and other reasons. We were told by officials there who permitted us to map for two hours one day that the areas were unsafe for human beings at least. Certainly Delissaville residents are frightened to go there.

As mentioned a number of Belyuen residents have applied for special purpose leases on the Peninsula in order to secure some control over its important sites (John and Olga Singh for Euwambi, Roy Yarrowen for Daramangganing, and John Gordon for Binbinya). The Assistant Administrator of the Northern Territory noted in 1970 that "several small groups have applied for leases of areas on the North West coast of the Peninsula in areas they have been using for recreational and fishing purposes in the past. In addition any alienation of the land around Delissaville would contribute to the possible loss of identity by the group" (Letter to the Secretary, Department of the Interior dated 8 January, 1970 signed by M.R. Finger). Their applications were approved, in principle by the Minister (Report titled "Delissaville", Welfare Division, Northern Territory Administration, dated 17 November 1972).

Before he died Tommy Lyons felt strongly enough about his land to pass on to his daughter his knowledge of the area. To ensure this he placed much of it in the safe-keeping of her mother, Maudie Bennett. Olga Singh has set down some of this on paper. This is appendix 2 to the claim book.

During the time we visited sites with claimants we recorded many expressions of distress and resentment at what they saw as encroachment upon sacred areas. (Returning once from Milig where we had encountered, unexpectedly, two non-Aboriginal fishermen in a camp usually used by the claimants, Maudie Bennett said "Poor fellow, my country".)

Belyuen people, the claimants, have been unwilling to accept without litigation the alienation of Cox Peninsula to the Darwin town area. The present claim is the most recent stand by these people against a series of serious threats to the sacred past and present of the area.

9. DESIRE TO LIVE ON THE LAND

Historical effects

As shown in the history section there are many reasons for the present settlement patterns of Aborigines in and near the claim area.

The creation of government institutions went hand in hand with efforts to encourage Aboriginal people into them. Although Kahlin Compound, Delissaville and Bagot settlements were all located on the traditional lands of the Larrakia, once in these institutions people found that movement over their traditional land was restricted.

A primary purpose for Kahlin Compound was to provide a labour pool for Darwin citizens:

The presence of the compound at Darwin has been made necessary by the fact that owing to climatic and other conditions, life in Darwin for many of the white families would be almost impossible without some cheap domestic labour, and the aboriginal is the only suitable labour of the kind procurable (Bleakley 1929:12).

Aborigines at Kahlin were subject to curfews:

No native is allowed in the towns of Darwin and Parap between sunset and sunrise, and by regulation, is liable to arrest and punishment if disobeying this order (ibid.).

For a period from 1932 Aborigines at Kahlin were required to wear identity discs. This was to assist the officials in checking Aborigines' movements out of the compound in the morning and back again in the evening.

The discs were made of bronze, one inch in diameter and worn around the hat or neck (A. McGrath, personal communication to A. Haritos; see also Weddell 1932).

It was intended that Aborigines would present these discs:

when seeking admission to picture shows, making withdrawals from trust accounts, etc. The Aborigines claimed the practice was "All same dog", referring to the recently introduced Dog Registration Ordinance. When told the red tape could be replaced by a chain, one Aborigine, with probably a memory of police methods, asked, "how can I talk with chain round neck?" (A. McGrath, personal communication to A. Haritos; her source: Melbourne Herald, 12 September 1932).

From Kahlin Compound women and children of mixed racial parentage were often relocated at settlements and missions elsewhere in the Top End of the Northern Territory. Kahlin was considered a bad environment and such a move was designed to place these "inmates" (Bleakley ibid.:13) "in a better and purer environment" (Northern Standard, 30 August 1927).

Part-Aboriginal children were frequently taken from their Aboriginal mothers and placed in institutions to be raised in a European setting. Darwin had a "Half-Caste Home". Bleakley wrote in his report:

As a result of the policy in the past of rescuing half-caste children from the camps and sending them to a home for care and education there are now 76 of these people in the home in Darwin (Bleakley ibid.:13).

In this institution the "inmates" were prepared for futures as domestic servants:

Following past practice, the girls, when sufficiently educated, at the age of say, 14 years, will be hired out in domestic service, principally in Darwin where a number are already employed (Bleakley ibid.:15).

Children of mixed parentage were sometimes sent to southern towns and cities, where they were employed as domestics. Margaret Rivers described her experience as a teenager:

... we went away to school then we went down south to Brisbane when I was fifteen. A lady took me to mind children. I never go to much school. They used to tell us to get out and mind children. The government never used to give us good schooling much. Make us work for ladies. I say, "How we going to learn for high school?" ... we never did learn much. My mother died when I was in Brisbane.

"Native offenders" were often punished by removal to places outside their traditional lands:

While the sentence imposed may meet the crime, it might often be highly desirable to prevent the return of the native to the old district (Bleakley ibid.:38).

Harold Phillips is a testimony to this policy. He was removed from Warrabri as a boy of twelve and sent to Delissaville. Today he still lives at Delissaville, or at One Mile Dam in Darwin. He is married to a Wadjiginy woman at Delissaville and they have five children.

King George, father of traditional owner Midbul or Prince of Wales, is noted in the following extract as resisting an attempt to relocate Kahlin Compound inland:

King Ichungarrabilluk (better known as King George) of the once great Larrakeeyahs, who roamed our foreshores from Point Charles to East Point in the days before the white invasion, hunting fish, dugong and turtle in their native canoes, called the old men of the tribe together King George pointed out that they had heard reports that the Government intended to shift the present compound to some point inland to make way for more Myilly Point residences. The Larrakeeyah people are a salt water tribe and would not be prepared to live away from the sea Asked what they would do if ordered by the Government to shift to another compound, they said they would rather go bush - pointing to the other side of the harbour ... than go inland (Northern Standard, 24 March 1936).

When looking for a site for an Aboriginal settlement on the Cox Peninsula, Bill Harney took a Wargite [sic.] man to help him find a suitable location. The guide led him on a wild goose chase:

Shortly after this we returned to Foster's Beach; our search was a failure, but the lesson I learnt from that trip was that Aborigines resist change. They were determined we would not see the good places of their land Seeking no more the Government decided to purchase a property called Delissaville (Harney 1965:58).

Native Affairs Branch then set about removing Aborigines from the Cox Peninsula area and placing them in Delissaville Settlement:

The first to be removed were the old people, who complained bitterly to all around that they did not want to leave this, their "proper country" (ibid.:62).

Brief then must be the story of the midnight raids in the beach jungles of the harbour, raids that only ceased when most of the Wargite tribe were in the settlement, with the one time dissenters at ease (ibid.:63).

In a later chapter entitled "Darwin Muster", Harney relates a schéme to remove Aborigines from the "temptations" of Darwin, and send them to Garden Point on Melville Island where they could be rehabilitated and "become useful for future welfare work" (ibid.:70). These included Larrakia and Wagaidj people.

Under cover of dark Harney and other Native Affairs Branch officers sought Aborigines throughout Darwin:

We just walked among the sleeping natives and ordered them to roll up their swags. Dazed and stupified at having visitors at such an early hour of the morning, they sleepily obeyed, and we placed them in a waiting truck and removed them to a stone room at the police station, where they could be well guarded (ibid.).

When all the Aborigines were located and gathered up, the officers -

picked out the "down and out" from that motley crew.... Their names were taken and recorded so that the Director of Native Affairs could commit them to an aboriginal reserve, for without this committal order no native may be removed from one place to another (ibid.:71).

From there the Aborigines were removed to a waiting lugger for transportation to Garden Point.

Jack Murray was the Superintendent of Delissaville after Bill Harney. His journals make many references to the Aboriginal people of Delissaville using the claim area. Even here though the Aborigines first had to get permission from the superintendent to visit places outside Delissaville:

January 7 [1942]

Willie Woodie, Mosiac and Jack asked for permission to go to Binbinya. I gave them permission in writing stating that they had to be back by Friday sunset (Murray 1942-3).

Sunday January 11 [1942]

Issued two permits one to old man Ned and Jimmy Jhelmane to Binbinya to return Friday next. One to Jimmy Bandok and Charlie to West Point to visit the grave of Jimmy's son ... I only issued this permit on sentimental grounds (ibid.).

Monday January 12 [1942]

Issued two permits one to Jimmy and his two mates both named Jimmy to Indian and Quail Islands, one to Toby and Sam to Binbinya till Saturday next (ibid.).

Sunday January 18 [1942]

Issued permit to Mosiac, Toby, Old man Ned to Binbinya and Indian Island (ibid.).

Saturday January 30 [1942]

Took four boys to Pioneer Beach ... (ibid.).

Monday February 1 [1942]

Boys returned from Pioneer Beach (ibid.)

Tuesday February 9 [1942]

All girls went out and got yams (ibid.).

Wednesday February 24 [1942]

Tommy Immabul went Indian Island to bring back old man Jimmy (ibid.).

Occasionally Aborigines ran away from Delissaville:

Sunday April 25 [1942]

One boy and a girl Daly and Maggie ran away... (ibid.).

Friday April 30 [1942]

Boys went to Binbinya to look at launch, bring back tools, whilst there they found Daly Bamjirn and Maggie Cunboy who had run away on previous Sunday (ibid.).

When refusing to work at Delissaville, one Aboriginal woman was threatened with removal:

Wednesday January 7 [1942]

One girl Olga Goodbiling* ... refused to do any work today adopting a very sulky, independent attitude so I told her if she never changed her ways I'd have her sent to Garden Point (ibid.).

In 1942 owing to the proximity to search light installations the residents of Delissaville were evacuated inland.

Two years later - when they had to be removed inland owing to the war - they just as stubbornly resisted our moving them from Delissaville, complaining that the place was their proper country and elsewhere was "just rubbish" (Harney 1965:62).

* Deceased father's "sister" of traditional owner Olga Singh, also called Gudbiling. She also was a member of the danggalaba group and therefore a traditional owner of the claim area. See Figure 1.

As in Kahlin and Delissaville, in wartime evacuation camps, these people were exposed constantly to disciplined acculturation to European ways.

A report from a patrol officer to the Deputy Director of Native Affairs (dated 18 November 1942) remarks that the establishment of Aboriginal camps at Mataranka, Katherine, Koolpinyah and elsewhere under military control had a "decided effect upon the native mind. It has taught him:

- (a) disciplines in camp and work,
- (b) cleanliness in camp and self,
- (c) orderliness in attendance and duties,
- (d) a consciousness that the government is trying to assist him if he in his turn 'pulls his weight' with the people in charge. No force whatever is used in these camps, and the natives are told firmly that they must obey or they will be removed to another depot" (Harney 1942).

The report adds that all disputes, tribal and otherwise, are dealt with by a Native Affairs officer once a month.

Lockwood (1973:182) has a different account of the war camps:

They were often advised by soldiers to agitate or strike for better conditions but did not do so. They would not have known how to do so The basic pay rate of five shillings a day for a private soldier seemed a princely sum against the five shillings a week that aborigines were paid.

The presence of Europeans

Aborigines often avoid encounters with Europeans. Bill Harney in the late 1930's details an experience he had in the claim area where, when he approached a group of Aborigines they abandoned their possessions and withdrew into the bush. Harney had to use trickery to draw out a member of the group. After Harney's discussions with the representative other Aborigines were willing to come forward (Harney 1965:52-54).

A European Australian woman, whose family had a holiday hut in the claim area, related to the researchers a similar experience she had had in the 1950's. During one vacation, while staying at

this hut, most members of the party had gone fishing, and only she and her sister-in-law remained behind. The two women went for a walk along the adjoining beaches. At some distance from their hut they came across a fire, with freshly boiled billy, and fresh half-eaten food, yet no one was to be seen. They called out to the camp's occupants, whom they suspected may have withdrawn to the bush, and looked about the area keen to meet these people, but nobody appeared (personal communication to A. Haritos).

Aborigines have made the following statements about the presence of Europeans and how it has affected living and visiting in the claim area:

regarding Dum-in-mirrie:

Delissaville people always go to Dum-in-mirrie until a few years ago. People don't go hunting much there now because white people there.

regarding Imalug:

We used to camp out there but now people there we don't go much... . Before the war we used to go there - there were no Europeans there [then] ... we used to go there before the cyclone, now too many Europeans.

We used to take the children there for holidays.

This is our camping spot but Europeans take it.

This where we used to camp, poor bugger this place.

We used to love this place, to come down and stay. We never used to see houses. We got a road going there. We got water from the billabong.

regarding Micah Beach:

Europeans are there so we can't go there.

regarding Talc Head:

We can't go there because Europeans lock it up.

We used to go crabbing near Talc Head, Woods Inlet side.

regarding the Murrmurr area near Rankin Point:

We used to stay here. Harry's father used to bring his boat.... we used to hunt and sometimes we'd camp here ... in the sand there now. Used to be a good road, we used to go through here ... right up to that place fishing, hunting ... we used to stay there on weekends ... at Banggalbandji before the cyclone, after the cyclone.

Question: Just lately you haven't been going much because that road's no good?

Reply: No! that man is there, you know that man who is putting that sign...*

regarding Pioneer Beach: During a field trip in the Rankin Point area all the informants were reluctant to go to Pioneer Beach saying, "Too much beragud [white people] there".

A few minutes after arriving at Pioneer Beach the informants hastened the researcher saying,
"Come on, you've got enough written down now!"

regarding Margaret Beach:

I can remember one Easter weekend some men from our community went to Margaret Beach/Buwambi to clean up for us to go camping. When we went down with two truck loads of people from the community, we found our spot taken and there was nothing we could do about it, but clean another spot for us to camp for the weekend, because the men wanted to hunt for turtles and Buwambi was the only place close enough to get across to the Island by boat to get turtles and dugong or turtle eggs, and yams are plentiful around that area at that time of the year for the women to get.

Use of the claim area

Living under controlled conditions in settlements has brought the claimants to a measure of dependence on government institutions. There is now some reliance on the health, education, administration, employment and shopping facilities at Belyuen.

Nonetheless, every weekend and many evenings after work, there

*

A reference to signs warning "NO ENTRY" to Bynoe Industrial Keswick Mineral leases.

is an exodus of people from Belyuen to various places in the claim area.

The Belyuen community has built its own roads to many places on the Cox Peninsula. This provides easy access to those campsites, which are used regularly. Some campsites have permanent shelter supports standing, for example at Bemandjeli.

Belyuen people depend on traditional foods to supplement and enhance their diets. During field trips the informants used opportunities to collect and hunt foods. While digging for long yams, near Murrmurr one informant said, "We can't forget this one, long yam, we always want to eat".

Often, after giving a place name, an informant would go on to list the types of foods found there (see chapter eight).

One informant described the current use of the claim area by her people:

We use methods like boat or motor car to go to any of our favourite spots. If we can't get there we cut a pathway for our vehicles to get down to the spot we like to camp for the weekend. It's not only the weekends that the people of Belyuen go out hunting, it's during the weekdays as well, sometime after work for the people who are working, but for the unemployed, they go out for the day hunting.

While the ducks and geese season is open we have been going to any of the swamps in the Cox Peninsula shooting, but when we get sick of eating geese and ducks, we go out hunting for turtle eggs, crabs or yams ... spearing fish ... and eating what we catch that day.

When we take our annual leave each year, we never go south to the big smoke, we're quite happy going bush and camping on the beach. At night we cook and sit around the fire eating the day's catch and listening to the tales of the early days told to us by the older people...

Roy Burrburr and his large extended family live permanently away from any settlement, dividing their time between Dum-in-mirrie Island and Balgal, just south of Wagait Aboriginal Reserve. Roy has a permanent dwelling at Dum-in-mirrie where he keeps some of his possessions.

In 1969 the then Administrator, R.L. Dean, in correspondence supporting the need for a reserve to be created for Aborigines on the Cox Peninsula wrote to the Department of the Interior in Canberra:

Cox Peninsula and adjacent islands were traditionally occupied by the Wagait and allied tribes, and these people comprise the present inhabitants of Delissaville. While they number only some 160 at present, they are nevertheless still tribally oriented and have a deep attachment to their tribal country (R.L. Dean, Administrator, to the Secretary, Department of the Interior, undated [c.27 November 1969] memo).

The Delissaville Reserve

In 1956 District Welfare Officer Penhall called for the whole Hundred of Bray to become an Aboriginal reserve (L.N. Penhall, District Welfare Officer to Chief Welfare Officer, memo dated 17 May 1956). Correspondence discussing the creation of a reserve on the Cox Peninsula continued for another twenty-one years. Finally in 1977 the Delissaville Reserve was gazetted, for sixteen square miles surrounding Delissaville Settlement (see chapter five).

The Aborigines concerned were reluctant to accept the sixteen square mile reserve, in favour of a larger area which would serve their needs. In 1974 an officer of the Department of Aboriginal Affairs had warned the Secretary of the Department of the Northern Territory in Darwin:

There are now indications that the Delissaville community considers that the 16 square mile area would be an inadequate initial area ... (R. Huey to Mr. Evans, Department of Aboriginal Affairs, Northern Territory Division, undated [c. 22 November 1974] minute).

Before the reserve was granted, the Delissaville community lodged a claim with the Interim Land Commissioner, Mr. Justice Ward, to the whole of the Cox Peninsula.

Paradoxically the granting of the reserve since the initial claim means that the Belyuen/Delissaville community are now no longer living on the claim area. It would be ironic if this worked