

NYIYAPARLI CLAIM DESCRIPTION

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1. Introduction

The Nyiyaparli claim (WAG6280/98; WC99/004) covers an area of about 40,250 square kilometres in the East Pilbara. A large area taking in a number of stations, reserves and land tenures are within the claim area:

- Kumarina
- Pt. Bulloo Downs
- Weelarrana
- Sylvania
- Ethel Creek
- Walagunya (ALT, held by Jigalong)
- Roy Hill
- Marillana
- Balfour Downs
- Mt. Divide
- Pt. Wandanya
- Robertson Range

Most of these leases are held privately. The exceptions are:

- Marillana, Sylvania and Ethel Creek, held by BHP;
- Walagunya, held by the ALT, sub-leased to Jigalong Community;
- Robertson Range, held by Jigalong Community;
- Mt. Divide, held by the Irrangadji Group Association.

Most of the Jigalong reserve lands (including Jigalong and Camp 61) are within the claim area, and subject to further discussions between the Nyiyaparli group and the

Jigalong Council about future management in light of the State Government's Aboriginal reserve transfer program.

The Nyiyaparli claim area also includes non-exclusive tenures within the town of Newman, and three substantial parcels of UCL in the west, central and southeast parts of the area.

The Nyiyaparli claim is represented by the PNTS, as are the neighbouring Palyku, Martu Idja Banyjima, and IBN claims. The Martu claim (WAG6110/98; WC96/078), represented by the Ngaanyatjarra Council NTRB, adjoins much of the eastern boundary of the Nyiyaparli claim area. The Nhanuwongka Wajarri and Ngarlawanga determination area abuts parts of the claim area in the southwest and, in the north, there is a substantial area of overlap with the Nyamal claim over the area of Mt. Divide and Wandanya pastoral leases.

Members of the Nyiyaparli group share a similar historical experience of dispossession of traditional country that is common to many Pilbara people to other Pilbara Aboriginal groups. Older members of the Nyiyaparli group were born, brought up and worked on pastoral leases throughout the area, including Balfour Downs, Sylvania, Walagunya, Roy Hill, and Marillana. Jigalong was originally established as a depot for the Number One rabbit proof fence in the early 1900s, and later became a ration distribution point for local Nyiyaparli people, and Martu people from the Western Desert. A mission was established after World War Two, and during the 1950s, its population increased due to large numbers of Martu being forced off their traditional lands because of British testing of the Blue Streak Rocket from Woomera. Many moved to towns in the region following the Equal Wages decision of 1968, where they have since raised their own children and grandchildren.

Norman Tindale (1953) describes the Banyjima region as being:

Upper plateau of the Hamersley Range south of the Fortescue River; east to Weediwolli Creek near Marillana; south to near Rocklea, on the upper branches of Turee Creek east to the Kunderong Range. In later years under pressure from the

Kurama, they moved eastward to Yandicoogina and the Ophthalmia Range forcing the Niabali eastward...

According to Tonkinson (1966:63):

The original inhabitants of the area around Jigalong, including the station to the north east, were the Njijabali, a group possessing cultural and linguistic affinities with the Budijara, Gadudjara and related desert people to the east, but at least as many ties with the more westerly groups, such as the ----- and Indjibandi. Most Njijabali were attracted westwards to early European settlements along and beyond the western fringes of their tribal area, even before Jigalong was established. Later, almost all the remaining Njijabali followed suit, in response to the increasing intrusion of their desert neighbours from the east. In 1964, the Jigalong camp contained no Njijabali people. The small number of surviving Njijabali is scattered on the stations west of Jigalong and at Mount Newman.

2.Criteria for membership

2.1 Apical ancestors

Descent from one or more of the listed apical ancestors includes all claimants. The ancestors are:

Jenny (Yulines), **Willamai** (f) (Tuckers), **Peter** (Long family), **Rabbity Bung**,
Mabel (Stream family), **Crab** (Queenie), **Yandicoogie**, **Kitty**.

Genealogies are attached to this report.

2.2 Knowledge of boundaries

Gordon Yuline described the consultative process made by Nyiyaparli in drawing the boundaries of the original native title claim WC/99/004. He started at Marillana with Banyjima elders including Winston Parker and the old man from Youngaleena. A meeting was held at Giles Point which confirmed the land to the west from Weeli Wollu south was Ngarlawonga, the southern boundary was formulated with 'people from Wiluna' including Dusty Stevens¹, turning at Nyibindana Hill back to 94 Well

¹ A senior traditional owner for Katujarra/Kiyajarra sites. See Tonkinson et al (2001:27).

where the Wiluna people went back and Jigalong people continued up the rabbit fence. Gordon ‘took over’ for the northern boundary. There was later a trip to the overlap area at Mt Divide. However, as Gordon says, ‘At some places the line [is] not right.’ An example is the drawing of the Palyku boundary as a straight line diagonally dissecting the Chichester Ranges, when Gordon says it is the ranges which divide Palyku and Nyiyaparli.

The Nyiyaparli boundary as marked by PALC is supported by descriptions by Brown and Tindale:

At the eastern end on the plateau were the Niabali and the central plateau was Pandjima territory (Fig.3). The boundary between the two groups lay west of Weeli Wolli Creek. Brandenstein (1967:2) notes that this was also a linguistic boundary, as Niabali is the westernmost member of the large Western desert group of languages, and Pandjima belongs to the Plibara Tablelands linguistic group. Recent information indicates that this boundary area was transitional rather than clearly demarcated, and that both bordering groups recognised a joint ownership of the area and its resources, (Brown 1987:14).

Gordon Yuline names different dialects (?) of Nyiyaparli. They are: Ngungilla-puttu from Newman south, Warrawonnu around Jigalong, Ngullibadu to the north west and Martuiidja around Marillana/Roy Hill.² Brandenstein (1967:3) confirms that the term ‘*martuiidja*’ refers to the lowlands of the Fortescue River. With more research, these groups may correspond with estate groups.

2.3 Language

During my research I found it difficult to separate Palyku and Nyiyaparli genealogies. Many people mentioned the similarities in the languages or dialects, describing the two as either ‘soft’ or ‘hard’ in their pronunciation. Brandenstein (1967:2) says Palyku speak Nyiyaparli. As Jack McPhee told me in 2003, ‘[People] could be Palyku or Nyiyaparli, much the same thing.’ Horton (1994:842) states: ‘The Palyku people speak the Nyiyaparli language.’ Kohn (2003:1) notes:

² It may be associated with the Martu suffix *martaj* meaning ‘inhabitant, resident, belonging to a particular place. See Tonkinson et al (2001:43)

The statements by Dench's Panyjima informants support the view that Palyku is the name of the speech community and Nyiyaparli the language or dialect name (Dench 1992 cited in Kohn 2003:1). Due to conflicting reports from speakers of Nyiyaparli, I am not convinced as yet that whether Palyku is only the name of the speech community or is a linguistic variety of Nyiyaparli in itself.

Brandenstein (1967:2) describes Nyiyaparli as 'the western most member of the large Western Desert group.' Although Kohn (2003:2) says Brandenstein's classification is 'controversial', she notes similarities between Nyiyaparli language and Western Desert languages while the language also shares features with central Pilbara groups. According to Sharp and Thieberger (1992:4), Nyiyaparli 'is the language of songs sung throughout the Pilbara.' Gordon Yuline states: 'Nyiyaparli, Palyku, Banyjima, these languages sort of one family – pretty close. We sing in Nyiyaparli at our ceremonies.'³

The relationship between language and country is important to Nyiyaparli. Gordon Yuline says, 'language was there already'. Gordon explains that when the world was created the languages were associated with each country 'like Chinese or Japanese'. However, songs and rituals may be exchanged or given to another tribe. Nyiyaparli identity therefore comes from the connection between language and country.⁴

2.4 'Recruitment'

Susie Yuline explained that identity may come from the great grandparents who in her children's case was Palyku, so that some of her children are in the Nyiyaparli claim and some in the Palyku claim. As she said, 'If they all come on my side, there will be no one for grandfather's people. Then my grandfather's country going free to another people. That's why I put my daughters there.' This form of 'recruitment' appears to have a traditional basis and ensures there is some form of continuity in land ownership, as for Martu estates.

³ Nyiyaparli field notes p.60

⁴ Nyiyaparli field notes p.60.

Gordon Yuline emphasises identity through grandfathers, giving a ‘choice’ of which way to go.⁵ This rule overcomes the problem of people being born out of their country. That is, identity is taken back two generations to before people moved or were moved away from their lands. Due to the number of ancestors, this option also adds to ‘choice’ of identity. Some of the Parker family at Youngaleena have opted to identify with Nyiyaparli while others are Banyjima.⁶ Similarly, with Bonny Tucker’s sons and daughters who have a Banyjima father.

2.5 Place of birth

As indicated above, place of birth has less influence since the movement and intermarriage of language groups around the Pilbara. Most babies are now born in hospitals outside the claim area. Those born away from their country can be Nyiyaparli if they have ancestral connection to the language and country, while being born in Nyiyaparli country does not necessarily make a person Nyiyaparli if they lack the ancestral connection. Nyiyaparli give the example of babies which are born in hospitals, where obviously this does not give people rights in the country on which the hospital is built. On the other hand, many Nyiyaparli are born away from their country and this does not appear to lessen their rights to identify as Nyiyaparli.

Susie Yuline tells how her great granddaughter’s conception spirit came from Weeli Wolli, in the claim area. Susie’s granddaughter went there to make a video with Curtin University: ‘When we came back, that little spirit came all the way to the 12 Mile [Hedland Community]. The spirit went to Alma Gray crying, “I’m looking for my mummy.” Alma said, “You go to that camp.” She a witness – every baby got a witness. A [conception] spirit can go a long way to find the right person... it still happens.’⁷

2.6 Conception totem

Susie and other’s connection to their country also comes from distinguishing bodily features. Gordon is a kangaroo because he has a mark where the kangaroo was shot at his conception. Susie was a fish caught by her uncle, indicated by a small ear lobe, where the fish was hooked.

⁵ Nyiyaparli field notes p.29.

⁶ Nyiyaparli field notes p.26.

⁷ B Day Nyiyaparli fieldnotes p.49.

2.7 'Reared up' and/or adopted

Donald Norman, aka Piniingu, from Nullagine was 'reared up' by Nyiyaparli and became a famous creator of 'about 500 [tabi] songs all of which he remembers' (Brandenstein 1974:72). Being 'reared up' amongst Nyiyaparli gave him a great knowledge but did not necessarily make him a Nyiyaparli and he has no descendants who claim to Nyiyaparli. I know of no present case where someone 'reared up' by Nyiyaparli is claiming membership. In some cases, children may be adopted and reared up as Nyiyaparli. Richard Yuline's son, Peter, was adopted as 'one side Kariyarra and one side Nyiyaparli.' The boy's father did not claim him back and he remains a member of the family and has the choice of being Nyiyaparli.

2.8 Knowing your country

Nyiyaparli people travel extensively in the community bus at law time. Gordon played an important role at the Bellary ceremonies, at the invitation of an Innawonga elder. The Nyiyaparli community bus took a group to the opening of the Youngaleena law ground in November 2002 and Gordon returned for the final ceremonies a month later. These visits are reciprocated and exchanges strengthen ties between groups. As Susie said: 'My son was initiated at Youngaleena and [a Youngaleena elder] sent his son to my husband. We swap my son with them.' However, there are markers of different ways of doing things. '[Banyjima] brothers and sisters stand with the stick behind their head. Well Nyiyaparli don't do that,' Susie claims.

The Nyiyaparli are seeking a community living area near Karlka pool, north of Newman. The name means 'root of a tree' or 'fork in the road'. It is also an appropriate name for the 'Karlka Nyiyaparli' organisation.

Members participate in Cross Cultural Awareness programs with BHP in Newman. BHP has made several videos which may not be helpful. For example, a short video of the public 'corroboree' held in Newman in 2001 before over 200 members of the public repeatedly emphasises the point that the rituals were 'Newman's first corroboree in forty years.' Bhpbilliton magazine pointedly describes the event:

The crowd experienced the songs and dance of the Nyiyaparli people. Nyiyaparli Elder Gordon Yuline, **born in Marble Bar and now living in Port Hedland**, sang the Dreamtime songs to accompany the dances.

‘We are trying to bring our culture back – **what we lost** – Trying to keep it alive,’ Gordon said [my emphasis].⁸

2.9 Knowledge and participation in traditional Laws and customs

The Nyiyaparli have successfully maintained their laws and customs amongst other tribes in what Gordon rather loosely describes as ‘Different language groups – one law – one culture.’⁹ Jigalong people also conduct ceremonies in the claim area in which Nyiyaparli people participate. Jigalong people joined Nyiyaparli people and others for rituals at meeting camps at Bellary and Youngaleena (outside the claim area) in 2002.

Charlie Stream describes how he was ‘running away’ but when he came back from Darwin he ‘gave himself up’ and ‘went through’ as an initiate. One Nyiyaparli man describes his ‘wrong marriage’ or cross marriage’ to a Nyiyaparli woman in the 1960s when he ‘got into a bit of trouble’ and was told ‘If you do it again, you will get a spear through the leg.’¹⁰ In this case, the couple got ‘legally married at the police station to stop the old people, so they couldn’t do anything.’ The ‘meeting camps’ throughout the Pilbara in November and December testify to the deep common knowledge of roles people must play according to laws and customs and without which these event could not proceed.¹¹

Bruce Bung identifies with the Newman area as his father’s and his grandfather’s country. He was born in Onslow and began schooling in Carnarvon, then attended the Apostolic Mission at Jigalong. Despite growing up in the assimilation era and being separated from his father, Bruce says ‘our stronghold is we got the Law to fall back on. That give us a lot of respect. Respect for people and yourself.’¹² In Bruce’s case, Jigalong, Warralong and Yandeyarra were centres of instruction.

⁸ *Iron Chronicle* Volume 370 December 2001, p.1.

⁹ Leaflet by Gordon Yuline.

¹⁰ Nyiyaparli field notes p.44

¹¹ See three edited videos of meeting camp ceremonies recoded during Law time in 2002-3: *Youngaleena 2002; Cane River 2002; Bellary 2002-3.*

¹² Nyiyaparli field notes p.58.

Brandenstein (1967:7) notes, ‘Jigalong [has] become the new centre of Aboriginal spiritual activity.’ He adds that this was despite the drift of desert people to urban centres and the presence of a mission at Jigalong. As in Bruce Bung’s case, the keeping of Law at Jigalong assisted the survival of laws and customs during the years of assimilation and movement away from the homelands of the Nyiyaparli. With the return to country, language groups are reasserting their own identities.

3. Those who may not be entitled to be claimants

3.1 Descendants of Gordon and Roy Mackay and William Coffin

Nyiyaparli identity does not automatically come through birth in Nyiyaparli country, despite a knowledge of Nyiyaparli language and customs. Gordon Yuline gives examples of the descendants of Maggie, of Roy Hill station, who are presently included in the IBN and the Nyiyaparli claims. On page seventy-two of his 1953 genealogies, Tindale lists the mother of Gordon and Roy Mackay as Kariyarra and their father as Nyamal. Their mother, Maggie, was from Munda Station near Port Hedland, owned by the Mackays who also owned Roy Hill. Brandenstein (1974:65) states: ‘Gordon Mackay-Warna is over seventy and lives in Marble Bar ... Although Njijapali is his main language, he speaks also Karierra, Ngaluma, Jindiparndi and Njamal, and he has a good knowledge of Aboriginal traditions.’ Brandenstein (1982) describes Gordon Mackay as his informant between 1964 and 1971 and ‘the last good speaker of Nyiyaparli who enabled me [Brandentsein] to put down a considerable amount of material on tape and in writing which has not yet been published.’ Some of these tapes recorded with G and R Mackay and Jackie Forrest, mostly speaking in language, have been acquired by PNTS from the AIATSIS library.¹³

William Coffin was the half brother of the two Mackays. He was born on Roy Hill Station. His mother was Maggie and his father was from Millstream (Coffin in Jamieson 1978:3). In the transcript of a lengthy interview, William Coffin does not appear to identify as Nyiyaparli (Coffin in Jamieson 1978). In addition, Gordon Mackay describes himself as Kariyarra in a taped interview made with Brandenstein in 1966 (AIATSIS tape 447b). According to a translation by Gordon Yuline, Mackay allegedly says, ‘I forgot about my language Kariyarra ... My grandmother is from

¹³ AIATSIS audio tapes Nos A446a;A446b;A445b;A447a;A447b.

Munda [station] and she went to Roy Hill. I am a Kariyarra, belong to here [?] ... I went to Nyiyaparli people up the top end. I left my Kariyarra behind...'

The descendants of the above men would not be able to show their grandmother, Maggie, was Nyiyaparli, as she did not appear to claim to be Nyiyaparli and neither did her children. Therefore, their only claim would be by their ancestor's birth on country and this has already been discounted as an entitlement to traditional owner status.

3.2 Sampie family

At present, there are members of the Sampie family on the Nyiyaparli and/or the IBN claim. Tilly Sampie was Palyku, being the sister of Dudley and Pixie. She married Louie Sampie from the Kimberleys who became a respected leader in the Pilbara but did not claim to be Nyiyaparli (Tindale, 31/03/66 tapes 3a,b and 15a,b). Sheila Sampie was born at Shaw River and her brother at Bamboo Springs. Sheila claims to be Injibandi through her grandmother who is Injibandi, but Nyiyaparli because her mother was a sister of Amy Jones's mother. Amy is the daughter of a Nyiyaparli man named Carbine (Queenie's brother). So it appears that Sheila is claiming to be Nyiyaparli through the marriage of her aunt to a Nyiyaparli man.

3.3 Malana family

The brothers Reggie and Colin were born at Talawana and now live in Nullagine and South Hedland respectively. Their old uncle Madi Madi Gray lives at Ethel Creek station and has been given a lifetime residence there by the station owners. He is not Nyiyaparli, but should have a lot of knowledge of the people and the area. Reggie Malana claims that his father was 'Nyiyaparli/Nyamal;' however, the Malanas are listed as claimants on the Nyamal claim which maintains an overlap with Nyiyaparli. Therefore, they cannot be on the two claims. However, the Malanas maintain an interest in Balfour Downs area and say that their land 'crosses three boundaries'.

3.4 Jigalong residents

Baker Lane told me at Jigalong, 'I grew up in Nyiyaparli. Carbine [Nyiyaparli elder] make me a man right here at Jigalong... We living on Nyiyaparli land – people come

from Canning Stock Route.’¹⁴ As Tonkinson (1974:112) claims: ‘The [Jigalong] mission lies in what was originally the territory of the Njijabali people so the Aborigines now at Jigalong are aware that they as well as the whites, are immigrants to the area.’ I found this still to be the case in 2003.

The Nyiyaparli claimants recognise the rights of residents on the Jigalong reserve. Gordon Yuline claims ‘Jigalong Reserve was given by tribal people.’ That is, there was an understanding with the traditional owners. Since then, he claims an arrangement was signed to allow the Jigalong people to manage the country inside the reserve, within the Nyiyaparli claim. According to the Nyiyaparli, the Nyiyaparli maintain their native title rights on the reserve and elsewhere. Gordon Yuline says the Jigalong residents are ‘free to go around Nyiyaparli country but they can’t manage it.’

Gordon Yuline is emphatic that only Nyiyaparli members can speak for Nyiyaparli country. He states that the residents of the Jigalong Reserve cannot be claimants on the Nyiyaparli claim or be on the working group. ‘Only Nyiyaparli people can talk for country outside the reserve, not even [in] negotiations.’ He gives the example of Karrumalu, or Coobina Creek, between Jigalong and Newman where there is a hill called Warridah. The hill has an eaglehawk song associated with it, which belongs to Nyiyaparli people. If miners want to discuss future acts there, Gordon says that they must speak to the traditional owners, who are Nyiyaparli.

The present Jigalong residents hold a great deal of knowledge about the claim area and care for sacred objects from the Nyiyaparli claim area. For example, in 2002 Brian Samson expressed concern about mining exploration in the Spearhole Creek area south west of Newman, on the Nyiyaparli claim. Brian stated:

Because of mining activity, in 1997 the elders asked me to remove sacred objects hidden on the old Law Ground on Newman Station and bring them back to Jigalong. We have to speak to the spirits before we remove the boards. We say in language who we are and what is our business. There is an old man, Peter Rowlands, living in a community about 100 kilometres east of here who has attended the Spearhole Creek culture meetings. There is an important *Manguny*

¹⁴ Nyiyaparli field notes p.34

[Dreaming] site near the area where the two lightning kids put sacred objects in a cave. You can see the objects there in the rock and the marks on them, from the Creation. There is a particular small rock not far from the windmill, which is an important *Manguny* site dating back to the Creation. Our people have songs about that rock which they still sing today. These songs are connected to other places. Spearhole Rockhole itself is also an important site.¹⁵

Similar evidence might be supportive in a Nyiyaparli claim. It might also suggest that the Nyiyaparli have been displaced, whereas the Nyiyaparli claimants deny this.

4. Some historical evidence of connection

Records show that early last century to the present and almost certainly before white settlement, there has been annual mixing of neighbouring language groups at ceremonies in the Nyiyaparli claim area. Carl von Brandenstein worked extensively with the Nyiyaparli in the 1960s and described a ‘federation’ of tribes in the Pilbara:

The table mountain Manygirrkura on the border of the Njiabali and Paljgu country in the Chichester Range is an extraordinary place, a ceremonial ground of old, and still of ritual as well as political importance to all the tribes in the North West (Pilbara). The name means something like ‘language nest’ and indicates the role of this mountain as a ‘language ark’ for the North Western tribes. The word ‘ark’ was used by my informant.

The table mountain is halved by a creek of the same name and is beset with boulders all around its slopes. Here the best known and still recognized ‘nations’ of the North West are represented each by one such boulder outstanding in shape and colour... I was told that these 10 nations once formed a federation and had much in common linguistically as well as ritually. They fanned out from here to occupy their present areas (Brandenstein 1966:2).

In 1926, Constable Edgar Morrow (1984:143) pursued two men from Prairie Downs to Marillana Station. While he rested at ‘Willy Wolly’ springs, his companion suggested ‘that the natives would be at Pug Well, fifteen miles farther on, and five

¹⁵ Unsigned affidavit prepared by B Day for PNTS.

miles from Marrilana [sic] Station'. (Pug Well is inside the Nyiyaparli claim and is the place where David Stock was initiated). Morrow continues:¹⁶

'It's a big corroborree [sic] place,' he said, 'and it's pinkeye time now, so likely there'll be a crowd camped there.'

... In the late afternoon we stopped in the shade of a ten-thousand gallon tank beside a windmill. This was Pug Well. Two hundred yards away were dozens of *mia mias*, and it was evident there were numerous natives camped there.'

While making enquiries in 1928, 'eastward' of Noreen Downs, concerning the spearing of a man name Roger at 'Murrabooken', which is apparently near Mundiwindi, Police Constable Rea stated: 'On Aug 21st, I again met some natives who had returned from Rudall River, and, some of these said that, some natives had gone to Jigalong on their way to Hammersley range.'¹⁷

Rea wrote: 'I believed that a Jigalong boy is responsible for the spearing, and had I made any effort to investigate the case before securing the native (Cantibilla @ Mickey) who was alleged to have done the spearing, this native would have disappeared back into the desert, past Rudall River...'¹⁸

On 30 August 1928 a stationhand from Bulloo Downs, Carlu, gave a statement which lists some of the regions represented: 'About carbru time (end of wet weather in summer) Mulga Downs, Ashburton, Turee Creek, Rocklea, and Bulloo Downs natives were coorroobborreeing at Murrabooken Claypan.'¹⁹

The accused, 'Micky alias Chilbar', indicated that the different language groups attended:

I am a station hand, I remember about three or four weeks after last xmas, I went to Mundi Windi for a holiday, there were several other natives there, we had several coroborees [sic]. We camped for about a month at Mundi Windi... When I speared

¹⁶ See also handwritten report by Constable Morrow, Meekatharra 22/1/26. File 8446/1925.

¹⁷ File no.3254/1928. Report by Pc Samuel Rea, Nullagine Police Station, September 2nd, 1928.

¹⁸ File no.3254/1928. Report by Pc Samuel Rea, Nullagine Police Station, September 2nd, 1928.

¹⁹ File no.3254/1928 Statement of [Cungiebury alias Carlu](#) of Bulloo Downs.

Roger there were about sixty natives in the camp. I only knew some of them... There were about twenty natives from Three Rivers Station near Peak Hill whom I did not know; Also several others from different places.’²⁰

The above incidents may reflect some unrest in the region, suggested by a page one report in *The Daily Telegraph North Murchison and Pilbara Gazette* in an interview with a traveller:

A novel experience of the trip was when we witnessed a war between two tribes of blacks. That was at Roy Hill... Hundreds of stark-naked natives were hurling boomerangs at one another. Short stone knives rattled on hardened shields carried by the warriors, while some there were who fell, never to rise again. Mr Nelson, the manager of a station in the vicinity advised me not to go near the savages.

A Native Affairs report from Mundiwindi, in the claim area, confirms that people from surrounding areas continued to gather for ceremonies near Jigalong each year. The letter to the deputy Chief protector in 1935 states:

...the natives were camped about 35 miles from Jigalong on a corrobrie [sic] where they meet all the natives from surrounding stations which is there [sic] custom to do every year as all the stations let their natives go at this time of the year as the work is then finished till the rain comes about February or March and then they return to the stations again till the following November as they do each year...²¹

A patrol report dated 8 December 1953 by A O Day describes an 80-year-old man named Micky on Mount Newman Station who was a ‘tribal leader of the Maduida group.’ Day continues: ‘This group has now dwindled to less than a score and the largest group of them is at Mount Newman Station, which is the centre and main body of their territory.’²² Tom Watson of Jigalong used to work with Nyiyaparli people in 1969 at Newman station. As Colin Malana told me, ‘before [the town] of Newman it

²⁰ File no.3254/1928 Statement by Micky alias Chilbar. Onslow, 21/10/28.

²¹ Native Affairs file 207/1927. Letter from Mundi Windi to the Deputy Chief Protector of Aborigines, 1/6/35.

²² SROWA, AN 1/7, Acc 993, Dept of Native Affairs, 9/1953, Murchison Sub-district, patrol reports.

was old Carney's station. When he sell, the people there got nowhere to go, they belong there.²³ A September 1954 patrol to Mount Newman station notes:

Jacky Forrest, 55, fb [Niyaparli man] is paid nothing, Larribang, about 40, fb, is also paid nothing. Their wives, Kitty and Nellie do stock work and house work but these are also not paid. No quarters exist and Jacky and Larribang complained that food had again deteriorated and was not of good standard. Mr and Mrs Carney were away from the station and had been gone for some considerable time...²⁴

G E Cornish, reporting on Beyondie Station or '94', in August 1961, wrote:

This station is more so in name the operation. It was commenced by a white man Bob George, a dogger and vermin fence runner who was married to a half-caste – Yibbie.

George subsequently died, and the property passed into the hands of Yibbie and her son Ronald... 94 as the property is more commonly known as amongst the natives, is *a popular pink eye, and escape location* when the pace in town becomes too hot for many of the local semi-transients.²⁵ (My emphasis).

5. Summary

- **The apical ancestors listed encompass all claimants.**
- **Research so far suggests that Niyaparli identity is through an ancestor's connection of language to country and the continuation of that connection through the other criteria listed.**
- **The core group of claimants share laws and customs and are aware of those laws and customs.**
- **Neighbouring groups recognise the Niyaparli as the traditional owners of the claim area.**

²³ Video interview with Colin Malana, South Hedland 13 June 2003.

²⁴ Department of Native Affairs, Patrol Report by A O Day. Mount Newman station.

²⁵ Tour of inspection by G E Cornish on 22nd August, 1961. Beyondie Station also known as 94.

- **At present there are only one or two known Jigalong residents who can claim to be Nyiyaparli claimants.**
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