

Chapter One

The 'futility and impolicy of opposition' (GW Goyder 1869)

This chapter attempts to offer a brief glimpse at race relations in the early settlement of Darwin (or Palmerston/Port Darwin as it was variously known prior to 1911) to provide some historical context for the emergence of an urban Aboriginal land rights movement nearly one hundred years later.

Although the north of Australia had been explored and chartered by sea voyagers prior to the British colonisation of Australia it was not until 1839 that John Lort Stokes and his crew aboard the *Beagle* explored and named Port Darwin (Stokes 1846 Facsimile ed. 1969:5). Stokes recorded communication between the exploring party and Aborigines in the immediate Darwin area and determined that these Aborigines had 'clearly never seen a white person before' as an attempt was made to rub off the 'paint' on the leg of a 'man of fair complexion' (Stokes 1846 Facsimile ed. 1969:5-20). Stokes reported a later meeting with Aborigines at Emery Point and believed that this was an extended grouping of those people encountered earlier at Shoal Bay. Twenty years earlier Philip Parker King had reported seeing Aborigines fishing whilst anchored in Port Patterson - fifty kilometres east of Darwin (Northern Land Council 1979:78). Although much of the information presented in Stokes' journals is at the whim and interpretation of the colonisers it remains as a record that a distinct group of Aborigines were in and of this place, that they utilised the sea as a resource and that there appeared signs of illness among the people they communicated with.

Nearly a decade and a half after Stokes' explorations a British merchant sponsored the Royal Geographic Society to further explore northern Australia's economic potential. Leader of the 1855 expedition, AC Gregory, reported that nothing 'gave any suggestion that the region would be a profitable field of investment for European enterprise. Nor was there any indication that there was a need for a European settlement on Australia's north coast, or that any settlement there would prosper' (Donovan 1981:23). Nevertheless, in 1863 the South Australian government fought for and obtained control over the 'vast region to the north of the colony, now known as the Northern Territory' (Pike 1972:14). This effectively doubled the area of South Australia and according to Glenville Pike 'sent imperial politicians giddy with dreams of Empire' (Pike 1972:14). Much of the land in South Australia had already been taken up and reports from some explorers suggested that the land in northern Australia consisted of large amounts of fertile land run through with expansive rivers (Manhood 1966:181). The South Australian Government soon passed the Northern Territory Act which authorised the sale of previously unsurveyed pastoral and town land to local and overseas buyers. The funds acquired through this pre-selling of land enabled the South Australian government to send an initial survey party to North Australia where the Government Resident was instructed 'at a date not earlier than 1 September 1864 ... to call a meeting of land-order holders and supervise the allocation of town allotment' (see Donovan 1981; Powell 2nd ed 1988; Reece 1989; Austin 1992). Since European settlement and enterprise had been successful in other parts of Australia and in other tropical climates it was expected that the development of northern Australia would also be successful. However, the South Australian Government was to dispatch no less than four expeditions between 1863 and 1868 before a capital for the newly acquired territory was chosen. Although it was considered that the commercial and maritime aspects of the Northern Territory together with the health requirements of the anticipated European settlers were paramount concerns in locating a capital, the task proved difficult primarily because of the 'lack of any agreed purpose for annexation and for the settlement' (Reece in Statham (ed) 1989:292).

Among the many instructions issued to the leader of the first survey expedition, BT Finniss, were those given as a 'general course of action' in the event of encountering any Aborigines in the area¹. According to these instructions it was 'a matter of great importance ... that a friendly feeling should exist between them [the Aborigines] and Europeans, and you should, therefore be careful to lose no opportunity which may present itself of bringing about and fostering such a desirable state of things'. The 'natives' were to be 'made to comprehend ... that they are British subjects, and that as such, they are amenable to, and protected by, our laws'. So long as they were 'peaceable and well disposed' their 'lives and liberties' would be protected. Reflecting perhaps the experience of southern dealings with Aborigines, Finniss was instructed that within the survey, Aborigines should be reserved land which would 'secure them free access to water and an ample supply of wood for canoes, implements of the chase etc' (Woodward 1974: Appendix 3). Choosing Escape Cliffs, near the mouth of the Adelaide River as the settlement site, members of Finniss' survey team began examining the country and establishing relations with the local Aborigines. Although the surveyors exchanged European goods with local Aborigines for weapons and artefacts and some endeavoured to learn the local language, conditions at Finniss' Escape Cliffs survey camp gradually deteriorated. Aborigines were reported to have taken valued stores, speared a horse, 'plundered' the vessel, *Julia*, and killed the camp shepherd, Alaric Ward. Finniss reported that while 'the natives ... have shown no want of courage and considerable contempt for the invaders of their country' there were 'men in my camp who affect to despise and disregard the natives ... [and] have created a feeling of contempt for the natives, and a fatal indifference to their proceedings' (Finniss 1865). In a letter to his daughter Finniss was not quite so conciliatory intimating that 'the natives ... need a good lesson [although] we are too weak in men and arms to do much'. The building of a stockade was to be Finniss' means of 'bringing them into subjection, for conciliation is to no purpose' (Manhood 1966:214). As relations in the camp worsened Finniss doubled the guard around his quarters and ordered that 'the natives be permitted to approach within one hundred yards of the camp, reminding all members that they must shoot to kill and not merely to frighten'. He wrote an explanatory letter to the South Australian Government claiming that the local Aborigines as well as being 'most determined thieves' were 'very numerous, divided into many tribes, and warlike and powerful' (Manhood 1966:213).

Amidst much scandal, Finniss was recalled from the Northern Territory and his position of Government Resident in September 1865. The South Australian Government had spent 40,000 pounds on the expedition and deemed the proposed settlement site at Escape Cliffs thoroughly unsuitable. As large tracts of pastoral land and town leases had already been sold the South Australian Government desperately needed to survey and establish a settlement in the north. Yet it was not until 1869 and after other unsuccessful expeditions that a survey party to northern Australia, led by the South Australian Surveyor General, GW Goyder, finally declared that the future capital (to be named Palmerston - after British statesman Lord Palmerston) would be located on the Port of Darwin. Goyder landed in Darwin harbour on 5 February 1869 where late in the second day of their arrival 'two naked black boys paddled out to the ship in a bark canoe and seemed pleased to welcome the whiteman' (Goyder Kerr 1971:68). Utilising a 'smattering of language' learned from Aborigines at Escape Cliffs, members of Goyder's party 'chatted to the black boys for a few minutes before they paddled off again with every sign of friendliness' (Goyder Kerr 1971:68). It was the arrival of Goyder and his immediate survey of the surrounding country that was to mark the beginnings of sustained contact between Europeans and Aborigines in the immediate Darwin area.

Although Stokes had earlier recorded that his party were the first white men to have been seen by Aborigines in this area it is more than likely that the Aborigines would already have been aware of the existence and presence of 'outsiders' in the area. The British had

¹ Finniss' position as Government Resident of the new territory automatically conferred on him the position of Chief Protector of Aborigines for this area.

established military outposts at Fort Dundas on Melville Island between 1824-29, at Fort Wellington on the Coburg Peninsula from 1827-29 and at Port Essington - or Victoria - from 1838 to 1849. Apart from these European encounters, 'along time ago', there were meetings between the Tiwi's ancestors and the Larrakia on Impinari, eastern Melville Island (Morris nd). Morris records that there was not always enmity between the two peoples and that the Tiwi learnt Larrakia language during 'periods of friendly association' with the mainlanders (Morris nd). It is also probable that the Larrakia and other groups in the Port Darwin region knew of the hundreds of Macassan traders and trepang hunters and butchers who had been operating seasonally along the coast of north Australia for a long time (see MacKnight 1969). Ernestine Hill's anecdotal history of the Northern Territory chronicles the Larrakia learning English folk songs from the 'Woolna' at Escape Cliffs and singing them to Goyder and his party on arrival in Port Darwin. JW Harris, through linguistic analysis, suggests that this does not sound as bizarre as it seems as neighbouring Aboriginal groups in this area had relationships which entailed the learning of each others language and combined ceremonies (Harris 1984:1-4). If European songs had been exchanged it is more than likely that information concerning potential threats to life would also have been transmitted in some way.

In conflict with Goyder Kerr's interpretation of the Aborigines giving the newcomers a friendly reception other accounts suggest that during the first few days of landing the surveyors 'were in constant danger from bushfires caused by the grass, in some cases twelve feet high, being lit by the Aborigines' (Mills 1993:12). Flies, mosquitoes, crocodiles, isolation, rationing of supplies and the intensely humid, tropical weather were also to plague the survey party as they began work establishing the main camp, drafting plans for the township and surveying the surrounding pastoral lands. Goyder originally planned for the establishment of four townships - the main Fort Point camp to be known as Palmerston, Southport on the Blackmore River, Virginia on the Elizabeth River and one at Fred's Pass. Goyder's survey also acknowledged the division of 'four native districts' understood by him to be Woolner, Woolner-Larakeeyah, Larakeeyah and Warnunger (Goyder Kerr 1971:175).

According to Goyder Kerr's interpretation of her grandfather's diary, Aborigines soon began to move around the camp site and 'showed signs of wanting to make themselves useful ... in return for a small reward of bread and biscuit' (Goyder Kerr 1971:72). Goyder apparently instructed the Aborigines to collect strips of bark for roofing but found them to be less than productive and resolved not to accept any more help from them if they 'couldn't do a more worthwhile job' (Goyder Kerr 1971:72). Goyder, as Protector of Aborigines, was given a set of instructions concerning the kind of relationship to be established with Aborigines in the area. He initially gave an 'official warning to officers and men that there must be no free-and-easy relationship' with the Aborigines. If they 'wanted to help, they could have some reward for their work. If they wanted the reward without the work, they must be kept outside the camp' (Goyder Kerr 1971:72).

During the next few months Goyder was to issue many notices cautioning members of the survey party against their increasing familiarity with the local Aborigines, instructing them 'to treat the natives with reserve and caution but without any sign of hostility'. On returning to the main camp from a survey expedition Goyder found that there was a 'lack of discipline about the camp he didn't like. The natives had stolen bread from the cook house and were hanging about the stores and tents. He gave orders for the whole camp to be fenced off at once' (Goyder Kerr 1971:95). It was believed that, due to the restlessness of the Aborigines at night, an attack was imminent and guards were assigned night duty to protect the camp. Even though Goyder at first reported the absence of 'collision' with the sixty or so 'natives', 'many of whom hang about the fence round the camp from daylight till dark', his journal indicates that he was aware of the growing concern among the Aborigines of the continuing European presence (Goyder 1869a).

Relations between Aborigines in the area and the surveyors appeared to worsen and Goyder's journal records several incidents in which Aborigines were 'warned off' by shots being fired over their heads. On May 24 two members of the survey party, JWO Bennett and W Guy, were speared at the Fred's Pass camp. Bennett died a few days later from his wounds². Goyder did not seek a reprisal for the killing of Bennett as he recognised that the surveyors were 'in what to them [the Aborigines] appeared unauthorised and unwarrantable occupation of their country'. He acknowledged the strict observance of territorial rights between 'tribes' and felt that it was 'scarcely to be wondered at if, when the opportunity is allowed them, they should resent such acts by violence upon its perpetrators' (Goyder Kerr 1971:146). A week after the spearing incident Goyder and a small party were returning to the main camp when the Aborigines set fire to the grass around them. Goyder records that 'we could have easily shot one or two of them, as three were visible at one time, but in the position of Protector of Aborigines, as well as that of Surveyor-General, I knew that these miserable specimens of humanity were only following their savage instinct in doing what they did; and whilst ever ready for the worst, we abstained from injuring them so long as there was a possibility to avoid bloodshed' (Goyder 1869b). On reaching the main camp, Goyder was surprised to find some Aborigines still there even though they knew what had occurred. He subsequently ordered them to remain outside the camp.

In Goyder's official report on the incident he questioned the value in asserting a European justice system on Aborigines and bringing them to trial when they could not 'have understood our language, nor could they have made themselves intelligible to us. The expense and trouble, therefore, would probably have been incurred in vain, and their subsequent experience, detailed to their tribes, might have given rise to other murders to ensure similar experiences' (Goyder 1869b). Goyder chose instead to warn new settlers to be 'constantly and vigilantly on guard, and never without the means of defence' as 'nearly all alike are treacherous'. While there may have been a few 'better inclined Aborigines' Goyder stressed that the overriding desire was for 'plunder and revenge, for which the occupation of the country is to them ample cause'. Goyder recommended that the attainment of that 'great object of peaceful and useful intercourse with the numerous native tribes in this locality' could best be secured by the immediate learning of 'their language' so that it could be made clear the 'futility and impolicy of opposition' (Goyder 1869b).

Apart from the obvious effects of settlement such as scaring away game and monopolising fresh water springs there are records of members of the survey party deliberately antagonising the Larrakia by destroying their canoes and encroaching on their special places such as burial sites (Goyder 1869a). The surveyor, Daniel Daly, also recounts in a letter to his sister that although he had not killed any Aborigines himself several others had (Daly 1869). Many of the diaries and journals written by those attached to Goyder's survey party stress the debauched behaviour of the party which was constantly prevalent in the camp due primarily to boredom and the consumption of massive amounts of alcohol. Although it is difficult to determine the Aborigines interpretation of such behaviour many of the survey teams diaries and journals reflect a fear of Aborigines - many referring to them as the Larrakia - and constantly refer to their activities or presence in and around the camp³.

Not all interactions between surveyors and Aborigines were marked by fear or distrust. Many of the men at the main camp bartered European goods with the Aborigines for weapons, shells, musical instruments, baskets etc and visited their camps to see how

² Bennett's death was generally attributed to the 'Adelaide River blacks' although it is possible that Aborigines belonging to the Larrakia language group could have been responsible (pers. comm. Topsy Secretary 1994).

³ Such developments in the Northern Territory as the building of the Over Land Telegraph Line, the discovery of gold and the consequent influx of people to the Northern Territory resulted in a sharp increase of violence between Aborigines and the newcomers in the greater Darwin region.

they lived and to watch their ceremonies⁴. So much so that several instructions were issued to the camp warning of the consequences if the men were found at the Aboriginal camp and a controlled system of bartering was finally instituted by the Government Resident. Surveyors and Aborigines alike learned early that each could provide the other with what was wanted. For example a species of echidna was brought into the camp by some Aborigines 'for inspection by the resident botanist/naturalist in return for some 'tum-tum' - in this case biscuits and sugar (Goyder Kerr 1971:81). Aborigines would also bring turtle, fish and crocodile into the settlement in exchange for flour and biscuit.

It could also be possible that as the settlement developed and the new settlers arrived to take up their land it was recognised that an alliance between the Larrakia and the settlers would prove mutually beneficial. On the settlers side as protection against other Aboriginal groups either hostile or curious to see the developments and on the Larrakia side as a means of protecting their rights to the settlement as traditional owners of the country on which it was situated. After a 'battle' between the Larrakia and the 'Woolna', the Government Resident informed the Larrakia that:

if they dreaded another attack they could send their old men, women and children close to the camp, but that I expected the fighting men to take care of themselves, and that I did not intend to interfere with their intertribal quarrels unless after absolute defeat the Larakeeyahs being in their own district, claimed my protection, when I should take steps to send the Woolner back from the vicinity of the camp (Douglas 1870).

'Skirmishes' between the Woolna and Larrakia and 'mock fights' continue to be recorded throughout the first thirty years of colonisation and suggest that they were actually a form of entertainment for the settlers. These fights may have indicated the continuation of carefully defined and longstanding relationships between the Larrakia and their neighbours. It could also be suggested that, by treating the Larrakia as allies, the invasion of their country by Europeans was made more justifiable in the face of a common foe.

Harriet Daly's work provides accounts of the coloniser's inclusion of the Larrakia into the new settlement. Depictions of music nights, dinner parties and balls often include descriptions of the Larrakia's varying reactions to these events. Picnics at Fannie Bay involved the whole settlement up and leaving in wagonettes or on horseback, 'followed of course by a specially chosen escort of Larrakiahs, who never failed to include themselves in what was going on' (Daly 1887:63). Daly and friends visited the 'native camp' and were formally introduced to 'Nilunga - King of the Larrakiah tribe who had several wives'. Daly claims that we 'soon knew the tribe very well indeed, made friends with the lubras, and remembered each piccaninny's name (Daly 1887:66). Other ways in which the colonisers sought to incorporate the Larrakia into the early settlement is evidenced at the settlement's 1874 Christmas party where the Larrakia were given the honour of opening the festivities by a display of spear throwing (*Northern Territory Times & Gazette* (NTTG), 2 January 1874). The Larrakia were also later required to perform corroborees on special occasions and for visiting dignitaries - activities in which they soon achieved a level of economic control.

In a short time, local Aborigines became better acquainted with European notions of work and as the population of the settlement increased were much sought after for their labour in work considered too difficult for the European settlers to perform in a tropical climate. Daly, returning to Port Darwin in 1873 after an extended trip to the south, reported that 'the Larrakiahs had become very much more useful, and had gained some idea of working in a systematic manner'. They had also become 'more self-reliant, less afraid of invasion, and the old dread cry of 'Woolna come on' seemed to have faded

⁴ Many of these items are held in museums in southern states and moves are currently being made to return them to their place of origin.

away (Daly 1887:182). In reality the Larrakia and other town dwelling Aborigines became an integral part of the labour force and consequently the development of the new settlement. Local Aborigines were employed on the railway, in the mining, agricultural and pastoral industries, at the Charles Point lighthouse, on pearling boats, as mail carriers and as general labourers in Darwin. The Larrakia, as opposed to the 'wild' or 'myall tribes', were sought after as employees as they knew much of European ways, could speak English and were readily available around town. Many annual reports from the Government Resident stress the usefulness of the Larrakia as workers and note that demand far outweighed supply especially for domestic servants in town. Apart from moving outside Port Darwin to take up work it is likely that some Larrakia moved out of the Port Darwin area during the early stages of settlement and continued with their traditional lifestyles. This may explain the early ambiguous anthropological divisions of the Larrakia into coastal, inland and southern groups.

Like elsewhere in Australia, efforts were made to evangelise Aborigines in Darwin. Three priests and a brother opened the first Jesuit Mission, named St. Josephs, on 10 October 1882 on approximately 1000 acres of land at Rapid Creek. Aborigines were enticed to St. Josephs by the missionaries offering them small gifts of food and tobacco (O'Kelly 1967:13). The missionaries erected a chapel, a school and quarters for themselves and their disciples. Daly reports that it 'was a novel and a pleasing sight to see about a dozen youngest, ranging from five to fifteen years of age, decently dressed and with shiny ebony faces' (Daly 1887:279-281). A printing press was established and hymns, prayers and children's lessons were translated into the Larrakia dialect. According to O'Kelly the Larrakia began to work with the missionaries about four weeks after the founding of the station but five weeks later 'they had had enough of work and departed' (O'Kelly 1967:13). The Woolna were to replace the Larrakia as the main group at the mission but Father MacKillop later 'sadly resolved ... to have nothing to do with the Larrakeeyas or Woolnas' as he refused to 'supply Palmerston with loafers and prostitutes' (MacKillop in O'Kelly 1967:19). Father MacKillop lamented in his 1887 report to the Government Resident that 'with the limited means at our disposal, and teaching as we must the restraints of Christianity, the fight is an uphill one against lust and grog and opium' (MacKillop 1887:42). The Rapid Creek mission was subsequently abandoned and a new venture established on the Daly River. Reporting on this move the Government Resident declared that the Larrakia 'appear to be utterly unaffected by the efforts for their evangelisation by self-denying fathers and brothers' quoting the missionaries as claiming that 'that this tribe has been too long and too closely associated with the white settlers to give any hope of being affected by Christianising influence'. The Government Resident further reported that it was said:

on excellent authority that recently a corroboree of the old men, who really hold the position of chiefs, in which the attitude of the Larrakeeyahs to Christianity was discussed. Whatever may have been the aspects in which it was viewed, whether it was too much work and too little tobacco, too much morality and too few shillings, or not, the decision arrived at was - 'Religion along Rapid Creek no good' (Parsons 1887:16).

This report concluded that the health of the Larrakia was being abused because of the 'natives uncontrolled passion for liquor' and their 'semi-civilised and barbarous habits [which] produce other diseases' (Parsons 1887:16). As in other parts of Australia, colonisation had resulted in the spread of such diseases as smallpox, leprosy, tuberculosis and dysentery amongst Aborigines; the sexual exploitation of Aboriginal women; and the introduction, use and abuse of tobacco, opium and alcohol. Colonisation of this area also resulted in the 'mixing' (see Brandl 1983) of the Larrakia with other Aboriginal groups and other races; the depletion of natural resources in the immediate environment and severely disrupted Larrakia traditional lifestyles.

However what becomes apparent in the South Australian period of Northern Territory history is that the Larrakia played a visible, active role in the establishment of the new



Photograph One: 'Native Camp, Palmerston' (Port Darwin), April 1874
(National Library of Australia, PHM Foelsche Collection R7/9)



Photograph Two: Aboriginal grave near Port Darwin
(Northern Territory Library, Roger Nott collection PH0002/0107)

settlement and were constantly differentiated from neighbouring 'myall' groups.. This is reflected in the prolific amount of information written about the Larrakia during the early years of settlement in official documentation, the diaries and journals of early settlers, in amateur historical accounts and in newspapers. Many of these accounts present the Larrakia as simple or naive beings with strange and absurd practises but nevertheless recognise them as the local Aboriginal group on whose country they were settling. Such caricatures made it easier for the colonisers to usurp the land and dismiss any notion that Aborigines may already have had complex social structures and laws under which they lived. Looked at today, these caricatures diminish the varied and important roles played by the Larrakia during the early years of settlement.

Darwin was settled as early anthropologists increased their studies of Australian Aborigines and Port Darwin was to provide an accessible new study ground. Although some of the information collected as well as the means and motives for collecting this information may be questionable these accounts do furnish us with some information and contrast sharply with the perspectives of amateur historians and writers. Early anthropological recordings by Foelsche, Basedow and Parkhouse provide information as to comparative physical characteristics of the Larrakia and other Aboriginal groups, definitions of what was considered to be 'Larrakia territory', the location of neighbouring 'tribes', described ceremonial practises and made collections of material culture. From these reports it is also possible to see that at the time of settlement the Larrakia numbered approximately 500 people in total; had a distinct language which could be understood by some neighbouring groups but not by others; had well defined relationships with these neighbouring groups; had carefully designed dwellings in specific long term locations; practised ceremonies which were controlled by a Law unknown to non-Aborigines; used the land and sea as a resource; feared a disease called Goobimwah which had recently caused the death of a large portion of the tribe⁵; wore no garments yet used ochre, dogs teeth, seeds and shells as body ornaments; and were excellent dancers able to replicate among other things the movements of an emu, a kangaroo and a snake (Foelsche 1881:8). For Parkhouse the boundaries of Larrakia 'country' were so well defined that he was able to discern '[b]etween the Larrakia and the neighbouring tribes [a] neutral zone of some eight or ten miles ... upon which no habitations are erected, game remains unmolested, and none trespass without good reason' (Parkhouse 1895: 638).

What is remarkable about these anthropological reports as well as in official and non-official writings is that Larrakia traditional ownership of the Darwin area is, for forty years at least, an undisputed fact and is mentioned time and again. However, by the 1910s, although there are some fleeting references in official correspondence to the Larrakia as a distinct and locally important group, the Larrakia largely left the pages of local histories and ethnographic studies. Peter Read notes that there is a particular time in which Aborigines leave the pages of local histories and suggests that by using 'conventional sources', historians seldom uncover any more information about Aborigines after the first twenty or thirty years of non-Aboriginal settlement, a 'few White residents may remember a few older Kooris camping at the edge of town before the Second World War. But now the Kooris have gone. Did they die out, as was predicted so confidently last century? If not, where did they go?' (Read 1988:20). It is difficult to imagine in such a place as Darwin that Aborigines could ever have 'disappeared' - in 1911 the Darwin census figures within an eight kilometre radius of the town showed that Aborigines and 'Half-caste Aborigines' comprised approximately a quarter of the population (Donovan 1984:4). There must be other reasons for the Larrakia 'disappearing' from written sources. As discussed in the introduction early historians and anthropologists were not concerned with documenting the impact of

⁵ Foelsche records that 'Goobimwah' was the name the Larrakia gave to smallpox which they greatly feared as the disease had last 'ravaged' them in about 1860 (Foelsche 1881). Rose interestingly suggests that as 'people's major tool in occupying and managing the Australian continent was knowledge' the loss of such large numbers of the group through smallpox would have affected the transmission of this knowledge (Rose 1991:8).

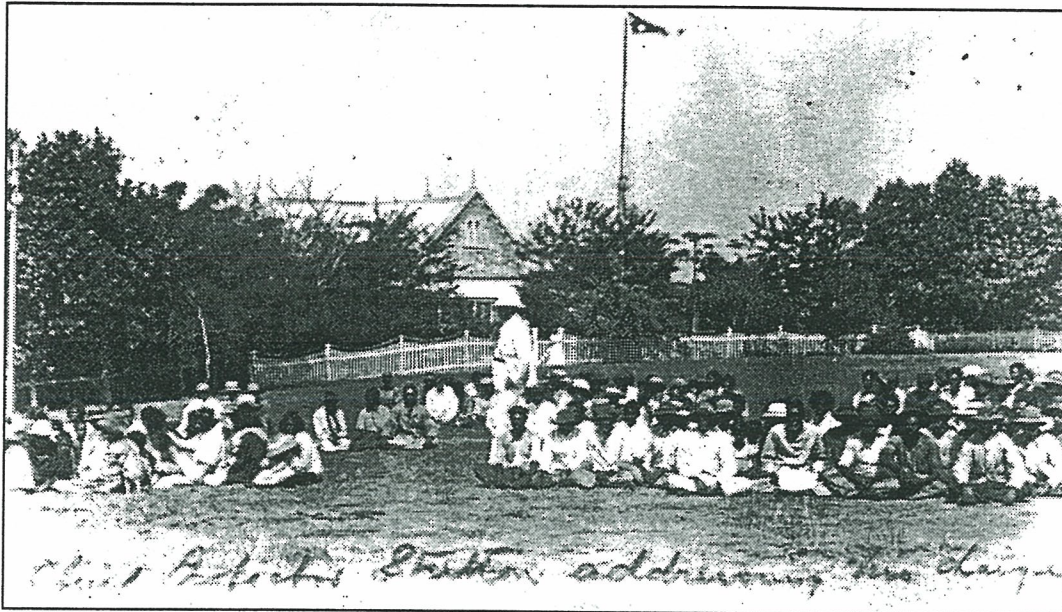
colonisation on the social and cultural organisation of the Larrakia. It subsequently became apparent that Aboriginal groups in settled Australia were deemed unworthy of 'serious anthropological consideration' because 'they lacked the prestige attached to the classic field work enterprise' which is defined by Cowlshaw as involving 'living intimately for one or two years with people who are isolated from the modern world, and working in a language where nothing of day to day life is understood' (Cowlshaw 1992:24). Aborigines, who in some respects were taking the brunt of colonisation, no longer fitted the prototype of 'Aborigine' as defined by the colonisers. Although the Larrakia people in Darwin were no longer considered a source of curiosity for the newcomers or studied for their 'Aboriginality', Aboriginal people generally continued to figure very much in the Darwin area itself and became the subject of increasing amounts of legislation. From a coloniser administrative perspective the increasing number of Aborigines in towns became entities who had to be managed, controlled and supervised by a specially formulated range of policies.

As early as 1874 Aborigines were not allowed to camp within the settlement fence and orders were given to 'the Aborigines who have recently been camped so close [to] the residences of white people, 'making night hideous' with their noises ... to move a little further away, and they are therefore now, it appears, gone to Peel's Well and Fannie Bay, which is a much more suitable place for them' (*NTTG*, 20 February 1874). In 1876, Dr RJ Morice, Protector of Aborigines protested against the injustices perpetrated on Aborigines in Palmerston gaol⁶ and criticised the Palmerston City Council for requesting him to move the established Larrakia camp from Lameroo beach because it was a popular bathing spot for whites. Morice also refused to make Aborigines leave Palmerston at sundown but was overridden by Government Resident Price who was concerned that the 'Aborigines have been more troublesome lately' committing 'petty thefts' in Palmerston and Southport (Price in Brandl 1983:9).

By the mid 1880s increases in crime, the prostitution of Aboriginal women and the use of alcohol and opium were to have a deleterious impact on the town Aboriginal population. The Protector of Aborigines, Percy Wood, claimed that 'Malay men', who came to Darwin on pearling boats, were prostituting Aboriginal women who 'preferred to stop with the Malays because they spend all their money on them giving them food, good clothing, tobacco, frequently spirits, and sometimes opium'. Wood reported 'the Aboriginal men wanted their women back' as the women were taken away on boats for months at a time and there had been an increase in venereal disease 'since the Malays have come to town' (Wood 1885). To prevent racial conflict Wood advocated that Aborigines not be allowed in town unless registered employees of Europeans; that Aboriginal women not be allowed in town or on boating trips; that Aborigines if in town be 'decently dressed'; that Aboriginal workers be registered and protected by the Masters and Servants Act; and that no employment agreement be for more than one year unless previously fixed upon (Wood 1885). Wood felt that the existing punishment for these crimes - long term imprisonment where offenders were housed and fed under the same conditions as the Europeans - was not successful and recommended that short term imprisonment, with limited rations and a flogging 'would have more influence with them' (Wood 1885).

Asked to comment on how best 'to treat and deal with the Aborigines and legislate on the subject', Police Inspector Foelsche stressed that the subject was extremely difficult given that 'possession has been taken of their country and they have been placed under the protection of the laws which govern this colony'. Considering that Aborigines already had their own 'tribal law' and that it would take many years for Aborigines to 'adopt the habits and customs of civilised nations', Foelsche advised that the introduction of 'suitable laws for governing the Aborigines until they are reclaimed from savage life,

⁶ After examining the gaol in 1873, the Commissioner of Crown Lands had reported that 'in many cases the natives have been made enemies through the harsh treatment of those who ought to be their protectors' (Reynolds 1873).



Photograph Three: Chief Protector, WG Stretton 'addressing his charges',
Government House, Darwin 1900
(National Library of Australia, PHM Foelsche Collection R7/114)



Photograph Four: 'Corroboree' at Mindil beach 192?
(Northern Territory Library, Honecker Collection PH0392/0023)

manners and customs, would be more effective than applying to them laws which control and regulate the most advanced stages of civilisation'. Although Foelsche was aware of the English Constitution's reticence in having 'different laws for different classes of people residing in the same country' he felt that certain legislation, in respect of Aborigines, needed introducing. Among his suggestions for legislation were moves to: regulate the employment of Aborigines; restrict and control the movement of Aborigines into and out of towns between certain hours; and to make punishable, by fine or imprisonment, the 'illicit intercourse with a native woman' of anyone other than an Aboriginal. Foelsche concurred with Wood's view that sending Aboriginal 'offenders' to gaol for lengthy periods did not have the desired punitive affect and suggested that the 'lash', in addition to having a more lasting affect, would 'save the expense of feeding them for a number of years' (Foelsche 1885a).

As settlement 'progressed' and the non-Aboriginal population expanded to take up land across the Territory it became a consistent refrain by administrators to advocate the establishment of reserves for the 'protection of the wild tribes living on the coast' and in which 'the natives tribes [have] absolute rights and control' (Parsons 1989). Following the earlier creation of the Warramunga Reserve at Tennant Creek in 1888 five more reserves were established in the Northern Territory in 1892. The Larakeah Reserve, declared on 28 April 1892, occupied 20 square miles of country around the junction of the Manton River and the Adelaide River⁷. These Reserves were later considered to be impracticable and unworkable as the 'control and supervision' of the Reserves necessitated a large staff and heavy expenditure and would 'lead to no practical good' (Dashwood 1899:110). Even so the Reserve system continued to operate.

Over ten years after Wood's and Foelsche's recommendations further ideas for legislation in respect of Aborigines was debated during evidence given to the Legislative Council on the Aborigines Bill in 1899. In Foelsche's evidence he recommended that such a bill would have to include such provisions as: Aborigines not being allowed to camp within the boundaries of any town or township with the Police having power to remove them; Aborigines not being allowed to 'wander or loiter' about towns between sunset and sunrise unless bona fide employed by residents - the onus of proof to rest upon the employer; and other provisions primarily concerned with prohibiting the prostitution of Aboriginal women and children. Foelsche finished his report by ominously declaring 'more may be written on this subject, but this will suffice to show that unless something is done soon in order to bring about a better state of affairs, matters are likely to get much worse' (Foelsche 1899:113). In 1899 *An Act for the Protection and Care of Aboriginal and Half-caste Inhabitants of the Province of South Australia, and for other purposes* was passed in the Lower House but defeated in the Upper House (see Austin 1992:87-93). By 1907 the Northern Territory 'having a considerable native population' was the only portion of Australia which possessed 'no legislation worthy of a moment's consideration' in respect of Aborigines (Herbert 1907). It was 1910 before *An Act to make Provision for the better Protection and Control of the Aboriginal inhabitants of the Northern Territory, and for other purposes*, was adopted by Commonwealth in amended form. This Act was the first piece of legislation to be passed by the South Australian parliament since 1844 which had for its object the welfare of Aborigines. It was modelled on the Queensland Aborigines Act of 1897 and sought to bring all contact between blacks and whites under official control (see Donovan 1981 & 1984; Austin 1992).

7 This land was only marginal Larrakia land and was far from the sea. The Larakeah Reserve was by far the smallest of any of those granted. Compare the 20 square miles of the Larakeah Reserve on the Adelaide River with the other reserves granted in 1892: Woolner Reserve (North Coast) - 366 square miles; Monassie Reserve (North Coast) - 115 square miles; Wangites Reserve (North of Daly River) - 388 square miles; Woolwonga Reserve (Mary River) - 160 square miles (Smith 1920). The Larakeah Reserve is still in existence today under the name of Acacia Reserve and is looked after by the Fejo family.

Although Searcy states, 'of course the niggers would give trouble, but settlement by determined men has a soothing effect (Searcy 1909:84) the colonisation of Darwin was and continues to be a much more complex mix of accommodation and resistance than Searcy suggests. In the case of the Larrakia, and this is only a quick glance, it seems that the encroaching settlement was resisted which is borne out by tales of theft, horse and sheep spearing, setting fire to the country, uprooting surveyors pegs, the spearing of two men, refusing in some instances to accept a European work ethic, drinking alcohol and smoking opium. This is balanced by forms of accommodation such as the exchange of artefacts and food for European goods, allying with the Europeans in attempts to ward off hostile or curious neighbouring Aboriginal groups, Aborigines offering their services of labour to the settlers and sexual services provided by Aboriginal women. Much more analytical and investigative work could be done which would explore the many variables apparent in contact history for this particular region.

Measures to attract more settlers to the area, the development of pastoral, agricultural and mining pursuits in a bid to make the Territory economically viable as well as difficulties encountered in the importation of 'cheap coolie labour' seen as vital to the development of the Northern Territory were issues which dominated much of the attention of policy makers during the South Australian period of Northern Territory history. It was the assumption of control of the Northern Territory by the Commonwealth Government in 1911 which heralded an increase in the amount of legislation formed and implemented for the 'welfare' of Aborigines. This legislation together with the movement of Aboriginal groups into Darwin had repercussions on the Larrakia's previously recognised status as traditional owners and will be examined in the following chapter.