

Banyjima native title - Wirrimarra and Tucker families

1. **Bob Tucker married to Thalana (Jacob and Tommy).** Paragraph 744. In Paragraph 745, Palmer says that Ivy is Jacob Tucker's daughter known as 'Naydung'. Palmer adds, 'but this is not universally accepted'.¹ However, Alec Tucker told Palmer that Ivy had no children (Paragraph 745) and according to my information this is correct. Alec Tucker told Palmer that the mother of 'Ivy's children' (Paragraph 745) was actually Ivy's sister. Alec should know, as Ivy Tucker @ Nulingu (not Naydung) was Alec's aunt and a sister of Jacob Tucker's daughter Naidjong (Palmer's Naydung?); however, Ivy may have cared for Naidjong's five children – at least those who were not removed. Palmer does not seem to have enquired which of Ivy's sisters was the mother of the children, because he notes after Alec's comment, 'presumably [Ivy's sister] Elsie'.
2. In 2005 Nellie Jones told me that Ivy Tucker lived with a Ngarlawonga man named Spider @ Kila Kila; however, Palmer (Paragraph 745) names Ivy's husband as 'Guyana'. My records have Kayuna as the husband of Naidjong, who is Ivy's sister, and this has been confirmed over the years by Greg Tucker, who is himself a descendant of Naidjong and Kayuna.²
3. 'Butha' [Putha], shown as Gayana [Kayuna]'s mother in Palmer's account (Paragraph 745) is Kayuna's father-in-law's sister (WFZ), not his mother. Kayuna was also Whitehead's brother. However, in the following paragraph I demonstrate how Putha can be categorised as Whitehead and Kayuna's mother. Despite this, Palmer is partly correct in his comment in Paragraph 746 that 'Guyana's relationship to Butha and so to Bob Tucker is not material to this case. The other two matters in dispute [above] similarly are not relevant to the tracing of descent by family members through Jacob to Bob Tucker (Wirilimura)'. However, I suggest that the disputed matters discussed in my preceding paragraphs are relevant to proving the reliability of some of Palmer's information.

Margaret Laphorne (nee Dowton) and Elizabeth Dowton identify as Banyjima through their grandmother, Putha, who was the sister of Jacob and Tommy Tucker. Margaret says: 'My father always said that Tommy Tucker was his uncle. I know that Putha was the mother of my father, Lola Young's father and Auntie Whitehead.'³

According to the family tree and Aboriginal custom, Putha could be classed as a mother to Whitehead by the following pathway:

Chookie was the son of Putha.

Putha was the sister of Jacob Tucker.

¹ Palmer in footnote 751 gives Greg, Gladys and Marie Anne Tucker as references for this statement.

² In 2010 Greg Tucker was using a business name incorporating the name of his maternal grandfather, Kayuna.

³ Statement made to Dr Bill Day on 29-6-05.

So Jacob's daughter Naidong was a cousin-sister of Chookie.

Putha was Naidong's father's sister, so Putha would have been a 'mother' (aunt) of Naidong.

Naidong married Kayuna.

Whitehead was Kayuna's brother.

So Whitehead was a sister-in-law of Naidong.

Putha was Naidong's 'aunty-mother.'

That makes Whitehead a daughter-in-law of Putha.

Whitehead called Putha 'mother' in Aboriginal custom.⁴

4. In last sentence in the Paragraph 750, Palmer likens the move by Jacob Tucker 'from the hill country to the Fortescue river flats' to the case for the descendants of Bindimayi (Bindimayi) who moved from the hill country. Presumably Palmer means that this group moved to Rocklea, though this is not clear. As I have discussed, in Paragraph 728 Palmer writes that Jerry Wing told him about 'Bindimayi, whom he called Yinjingana' (see Palmer 1979). As I have explained, Bindimayi was a Gurama man and 'Yinjingana a Banyjima man – two very different partners of Jerry's maternal grandmother, and not the same person. Once again, the basis for Palmer's reasoning is brought into question.
5. In Paragraph 471 Palmer writes, 'Wirilimura was Slim Parker's FMMF'. I will not even attempt to analyse how this could be so, except to deny its possibility. Then in Paragraph 753 Palmer states: 'Members of the Parker family consider that Wirilimura is one of the principle 'roots' or *bajarli* for their family. Certainly the Parkers accept that Wirrilimarra is an apical ancestor for the Fortescue Banyjima claim group, but Slim Parker denies that he told Palmer 'we all come from Wirilimura'.⁵ Similarly Palmer quotes Slim Parker as saying, 'We all come from Wirilimara'.⁶ Palmer also states that Margaret Lapthorne confirmed this statement as a 'senior member of the Parker family'. Margaret Lapthorne and her sister are indeed descendants of Wirrilimarra through Putha and also members of the MIB claim group for the same reason; however, they are not strictly 'senior members of the Parker family' as Palmer states.
6. Palmer names Margaret Lapthorne as a senior member of the Parker family. Margaret and her sister Elizabeth are descended from Butha (Lucy Tucker) and therefore claim descent from Wirilimura; however, according to my records this connection to Wirrilimarra does not apply to the other members of the Parker family. Although Palmer mentions, 'Others stressed descent from Whitehead seeing Wirilimura as an ancestor for the Tucker family', Palmer appears to discount this evidence, continuing to

⁴ Whitehead may have been born in about 1888 and Putha at about the same time, judging by the birth dates of their children around 1908.

⁵ Slim Parker *pers com* 27-04-2011.

⁶ Paragraph 753, footnote 763, names Slim Parker as the informant (KPFN, 25)

describe Whitehead as Wirrilimarra's daughter's daughter (dd) and Steven Smith's FFM Nyathaba [@Mary] as a descendant of Wirrilimarra when no such connection has previously been related to me.⁷

7. Between Paragraph 758 and 766, Palmer (2010) discusses a statement in Pantikura Banyjima language made by Percy Tucker recorded by the linguist Alan Dench in 1980. Palmer (p.222) includes a table (Table 12.2) of the ancestors mentioned in the statement, including Herbert Parker's grandfather, Pirtupiri, and father, Marntunha. In the statement Percy Tucker claims that his ancestors are 'the gang, the boss for the Hamersley Range'. Following this sentence, Percy Tucker adds, 'All of these *Marntiyarrangara*⁸ of this name, my grandfather, Herbert Parker's grandfather, the father belong to them, my father, my uncle his father'. He concludes, '...they were the boss of what's left behind, us little fellas. Now we are the boss. We took over from the old fellas'.⁹
8. Palmer (Paragraph 760) citing Dench, explains that *marntiyarra* means 'brothers and fathers' in the plural sense, adding in Paragraph 763, putatively but not necessarily by blood in this account 'Birdubiri' and 'Wirilimura' are understood to have been related. Additionally, Palmer (Paragraph 765) suggests Percy Tucker's recorded statement categorises the descendants of Wirrilimarra and Purripuri as 'a single group'. In the same Paragraph Palmer states:
9. Whatever the relationship between Birdubirdi and Bob Wirilimura, according to Percy Tucker, their descendants comprised a single group. Thus, according to this account, claimants tracing descent to those individuals would be able to assert rights to those areas of the Hamersley Ranges identified as *birdurrula*.
10. In my analysis of the recorded statement, all the descendants of Herbert Parker's grandfather and Percy Tucker's grandfather are the 'little fellas' who took over from the 'oldfellas' as bosses of the Hamersley Ranges. I believe this would also include the descendants of Whitehead, who was Herbert's mother.
11. Palmer (Paragraph 766) believes that his analysis of Percy Tucker's statement 'does not in any way invalidate the claims made by the descendants of Gawi'. Rather he views the statement as supporting his discussion (Paragraph 210, 227 and 362) that more than one local group can assert rights to the same area of country. Why is it that Palmer describes the two separate descendant lines of Wirrilimarra and Pirripuri as a single group to support his argument that more than one group can assert rights to country?

⁷ Steven Smith and his brothers can trace descent from Wirrilimarra through their mother, Gladys Tucker, not through their father, Sydney Smith.

⁸ Palmer (Paragraph 760) citing Dench, explains that *marntiyarra* means 'brothers and fathers' in the plural sense, adding in Paragraph 763 that 'Birdubiri' and 'Wirilimura' 'are understood in this account to have been related.'

⁹ Statement by Percy Tucker recorded by Alan Dench, at Onslow Nhuwala Centre, 19 June, 1980. Copy faxed by Alan Dench, University of Western Australia, to Mark Chambers of Yamatji Land and Sea Council, on 28 February 2005.

Percy Tucker does not suggest the descendants are one group, only that the two families are 'bosses', or the holders of fundamental rights for the Hamersley Ranges. Why does Percy's statement not reflect on the claims by the descendants of Gawi as Palmer proposes in Paragraph 766? In his statement Percy Tucker does not mention Gawi's lineage as land-owners, although his daughter was married into that group.¹⁰

12. Although I have maintained that Percy Tucker describes two groups in his statement, it cannot be denied that the Tucker and Parker families were living in close proximity on Mulga Downs and also intermarrying. For example, Ginger Parker married Gertie Tucker and Selina Tucker was 'Herbert's woman' in 1944, as shown in an extract from a police report written on 28 January 1944:
13. Three native sisters were arguing over cards in the Mulga Downs native camp. Blanche [Tucker] and Gertie were combined against Selina [Naidjong's daughters]. The natives Wabby [Parker/Coffin] and Herbert Parker took the side of Selina, who is Herbert Parker's woman, and Darkie [Doug Tucker], who is the uncle of all three sisters, took the side of Blanche and Gertie, with the result that about sundown or a little after Parker and Darkie had a fist fight. Darkie's sister Ivy, and another male native [name deleted] joined in to assist Darkie, but before the fight had properly started it was stopped by other natives in the camp.
14. According to Kim Barber's genealogy (1997), Whitehead's brother Kayuna married Jacob Tucker's daughter Naidjong. Therefore Naidjong's daughter Selina would have been Herbert Parker's cross-cousin and potential *Nuba* or partner which is perhaps confirmed by the fact that in 1944 Herbert was living with Selina. Naidjong had numerous children including Eric Cosmos (Conway), Harold White and Douglas Macarthur to different fathers. She was Greg Tucker's grandmother.
15. In Paragraph 767 Palmer next sets aside a section specifically for descendants of Butha @Putha headed, 'Group 3.1 Bob Tucker Wirilimura married to Thalana.' My information is also that Thalana was Bob Tucker's wife. In 1980, according to Palmer (1980:21) Percy Tucker stated that his father's mother (Thalana) came from the Dales Gorge area. Palmer writes:¹¹

Percy's [mother] was Bandjima, born on Juna Downs while his [mother's father] was Inawunga and his [mother's mother] a Bandjima probably from upper Turee. His [father] was a Bandjima who came from the Packsaddle area, and both his [father's mother] and [father's father] were Bandjima from the Dales

¹⁰ Percy Tucker's daughter Gladys married Sydney Smith. Her children were born between 1963 and 1972.

¹¹ Palmer, K 1980 The Central Hamersley Plateau, An anthropological Survey: an account of known sites and places of importance to Aborigines in the vicinity of TR 4885, TR 5623, TR 5585, TR 6998 and TR 6999. A Report Prepared for Texasgulf Australia.

Gorge area.

16. I discuss the above Paragraph in more detail in another section of this report. In Paragraph 767, Palmer states that 'Bob Tucker had a daughter Butha'. This information accords with my research which has been checked by Greg Tucker and other members of the Tucker family. In the next sentence, Palmer claims Butha was the mother of Whitehead by a man named Nyiliya. Palmer may have confused 'Butha' with 'Nathana' who I have recorded as Whitehead's mother. Butha was the daughter of Bob Tucker and mother of Chookie (Jack Dowton) and Cookie.
17. In Paragraph 768 Palmer gives his references for 'Butha as mother to Whitehead' as Slim and Maitland Parker and Margaret Laphorne (footnote 782). Perhaps there was confusion between 'Butha' (Bob Tucker's daughter) and 'Nathana' (Whitehead's mother) when Palmer's notes were made. As I have related, Butha may have been Whitehead's aunt-in-law through the marriage of Whitehead's brother Kayuna to Butha's brother's daughter.
18. In footnote 783, Palmer also repeats his information that 'Greg Tucker and his siblings stated that Butha and her sister Nyathaba (see group 1.2 above) "belonged to another family"' (KPFN, 18). Gladys Tucker and her sister are not 'siblings' of Greg Tucker but are MMBD. All have previously confirmed that Putha is the daughter of Wirilimarra. My only explanation for their answer to Palmer, is that if asked about the two names together, Palmer's informants would disagree that they were sisters, and that this disagreement was misunderstood.
19. In Paragraph 771, Palmer cites a statement by Wobby Parker who said that the mother of Whitehead was a woman called 'Poodanya' (Paragraph 25). Palmer (Paragraph 771) believes it is most likely that this is the same woman he has identified above as 'Butha', and suggests this may have originally been 'Bertha' (footnote 791). Wobby Parker also stated that Wirilimura's son was brother to Butha. According to Palmer, Wobby stated that Wirilimura's oldest son (presumably either Jacob or Tommy Tucker) was 'grandfather' to him (Wobby Parker) (Paragraph 28). As I have similarly explained, if Wobby's mother's brother was married to Jacob's daughter Naidjong, Jacob would be Wobby's great uncle, or grandfather.
20. According to my information, Wirilimura's son could not be Wobby's MMB as Palmer states in Paragraph 771, although he would be Wobby's grandfather through a different pathway as I have explained (above). In Paragraph 772, Palmer also notes that Wobby Parker's statement was drafted 'poor contemporaneous notes' and may be unreliable for the purpose of genealogy. Instead, Palmer refers to an affidavit by Horace Parker sworn at Port Hedland on 27 May 1999. In the affidavit, Horace Parker states:

1. My name is Horace Parker, my Aboriginal name is Padjaringuru. I was born at Mulga Downs Station and I was reared up there. George Hancock was manager
 2. My mother was a full blood, she was known as Whitehead her Aboriginal name was Payungu and my father's name was George Parker, Marndu.
 3. My father's father name was Pirripuri. My father's mother was Thampanha.
 4. My mother's mother was Thuranha.
 5. My mother's father was Nathanha they were all Banyjima people.
21. Palmer concludes in Paragraph 775 that 'it is possible that Butha was a daughter of Wirilimura and sibling to Tommy and Jacob', which is also what is shown by Barber and my research. This would also partly explain why Butha is listed as 'Lucy Tucker' on the application for citizenship by her son Jack Downton. The next two Paragraphs, Paragraphs 776 and 777 repeat Palmer's insistence that Butha is the mother of Whitehead, a suggestion that I have earlier refuted. To add to the confusion, Palmer (Paragraph 778 suggests that Butha was 'not the biological daughter of Wirilimara, but putatively so'.
22. In this paragraph, I offer an alternative calculation to the 'highly speculative' dates of birth suggested by Palmer in Paragraph 777. Whitehead's children were born over 16 years, between about 1908 and 1924. Her husband George Marndu lived between 1875 and 1950. I suggest that she was born in about 1890. There is no reason to believe that Whitehead was the same age as Sam Coffin, as Palmer states. Wobby was born in 1924 and Sam also had children to Bidy between 1952 and 1959. Whitehead's brother, Kayuna, married Naidjong, who bore children to different men between 1916 and 1940. Naidjong was born in about 1898 and I suggest Kayuna was older and born in about 1888. Putha @ Lucy Tucker had children Cookie and Chookie in around 1906, so she may have been about the same age as Whitehead. Her brother Tommy Tucker is said to have been born in 1880. Palmer (Paragraph 777) calculated that Wirilimura was born in about 1863, but I suggest his birth date may have been ten years earlier, considering the rituals a man would need to go through before marriage.
23. Palmer's contention that Butha was mother of Whitehead persists into Paragraph 780, 'Group 3.2. Birdubiri', when Palmer states that Birdubiri ... would have been the of the same generation level as Butha. As I suggest above, Butha @ Lucy Tucker and Whitehead both had their first children in about 1906, and are of the same the same generation level. In the same Paragraph, Palmer agrees that George Mandu's father Birbubirri may have been born around 1850, or before white settlement of the Pilbara (before sovereignty). Palmer (Paragraph 782) then relates that he was told 'there were two principal *bajarli*, or the roots of people for the Parker family. These were Wirilimara and Birdubiri.' The Parker family has not to my knowledge previously said that Wirilimura is *bajarli* of their family, so can only

assume that what was meant was that there are two principal bajaril of the Fortescue Banyjima group. Paragraph 783 repeats the expert opinion shared by Palmer and myself that Birdubiri was most likely to have been in possession of portions of the claim area prior to the time of effective sovereignty.