COBOURG PENINSULA AND ADJACENT ISLANDS

LAND CLAIM

Nicolas Peterson
Myrna Tonkinson

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INTRODUCTION

This claim book outlines the basis of the claim for recognition of traditional ownership of the Cobourg Peninsula by the Aborigines who regard themselves and are regarded by the Aboriginal people of Western Arnhem Land as the traditional owners. Today almost all these people live at Croker Island as a result of government pressure to leave the Peninsula in the fifteen years to 1970 when the last of the Claimants left.

Although the Cobourg Peninsula was the site of the first two mainland settlements in the Northern Territory between 1827 and 1849 and has since been an almost continuous focus of European interest and occupation the Claimants maintained a largely traditional life, fishing, gathering and hunting until the present day. From time to time they and their ancestors have supplemented their traditional subsistence by working as guides, station hands, saw millers, trepangers and unskilled labourers and by sale of artefacts.

Since 1961 the whole of the Peninsula has been a conservation area of wilderness status. From the time the claimants were removed to Croker Island they have made several representations to government about their land and continued to visit it. Granting of their claim will restore to them the whole of their traditional lands.
LAND CLAIMED

All that piece of land in the Northern Territory of Australia known as the Cobourg Peninsula. The Cobourg Peninsula includes all that land northwest of the Peninsula's boundary with the former Arnhem Land Reserve and more particularly described as the land lying to the west of a line on a true bearing of 231 degrees from a point on the sea coast at high water mark distant about 16 (sixteen) kilometres on a true bearing of 245 degrees from Coombbe Point, Mount Norris Bay.

Also claimed are the adjacent Islands including, Sandy Island No. 1, Sandy Island No. 2, Allaru Island, "High Black Rock" (at 180385 Cape Don Sheet 5275 (Edition 1) Series R621), Burford Island, Greenhill Island, Warla Island, Nanggindjung Island, Warldagawaji Island, Morse Island, Wummiyi Island, Hogogut Island, Endyalgoul Island* and the two unnamed Islands in Raffles Bay (at 168540 and 176580 Cobourg Sheet 5375 (Edition 1) Series R621). All land surrounding the above described Peninsula and Islands to the level of the low water mark is also included in the claim.

Excluded from this claim is alienated Crown Land as defined in S.3 of the Aboriginal Land Rights (NT) Act 1976. The claimed land does not include Special Purpose Lease No. 153 or the Pearl Culture leases numbered 1-8 which lie below low water in Knocker, Curlew and Berkeley Bay and Port Bremer.

The Peninsula is declared a Reserve pursuant to the Wildlife Conservation and Control Ordinance 1963 and pursuant to the Territory Parks and Wildlife Conservation Ordinance 1976 this Reserve (R1075) is controlled by the Territory Parks and Wildlife Commission. With the exception of Sandy Island No. 1 and Sandy Island No. 2, the Islands are not part of the Reserve. In 1979 the title of the Reserve was altered to the Cobourg Peninsula National Park.

* It is possible that this is within the Arnhem Land Trust area.
Included within the Reserve are Fort Wellington Historical Reserve (R1475) of 89.7 ha, which was proclaimed on 29th day of July 1976 and gazetted in the Commonwealth Gazette on the 10th August 1976 and in the Northern Territory Gazette on the 26th day of November 1976, and the Victoria Settlement Historical Reserve (R1286) of 120.6 ha. This was proclaimed on the 17th day of August 1972 and gazetted in the Commonwealth Gazette on the 31st day of August 1972 and in the Northern Territory Gazette on the 14th day of June 1977.

A small area of land at the tip of Cape Don on which the Cape Don lighthouse and associated facilities stand is held by the Commonwealth.

The Peninsula is a low lying area, the highest point being Mt. Roe with an altitude of 160 m. The numerous bays, points and headlands combine to create a long and varied shoreline in relation to the land area of 191,659 ha (740 square miles approx.). As elsewhere in Arnhem Land the predominant plant formations are tall open forest and savannah woodland away from the shoreline. On the coast sheltered areas are marked by stands of mangroves while elsewhere there are long sandy beaches often dominated by casuarina trees. There are few substantial rivers and only very limited areas of freshwater swamp.

The sandy beaches and Islands are breeding grounds for turtles and sea birds, which abound. Off shore the many reefs create an exceptionally rich marine habitat whose resources were the staples of the claimants diet.

There are no real roads in the claim area but only a number of narrow tracks. The most constantly used section is the portion that runs from the claim boundary to a point opposite the southern tip of Croker Island. This is the route from Darwin used mainly by the Aboriginal inhabitants of that Island. Another branch of the track into the claim area runs up the
western side of Port Bremer to the Smith Point landing strip and the Territory Parks and Wildlife Commission's Ranger Station at Black Point. The Ranger and his family here and the two families at Cape Don looking after the lighthouse are the only permanent white residents on the Peninsula, although the claimants and other Aborigines make extensive use of some areas and frequently camp out on it. There are also between 12 and 18 non-caucasian cultured pearl workers who live between Knocker Bay in Port Essington and the recently opened (within the last 18 months) location at East Station Point in Port Bremer.

Ecologically the Peninsula is a relatively pristine wilderness area (see Frith and Calaby 1974). At the moment the greatest threat to the area's ecology comes from the feral buffalo, banteng cattle, pigs and Timor ponies that trample and destroy many freshwater habitats. The Territory Parks and Wildlife Commission is keen to eradicate or remove these animals.

Several points about the status of this area should be emphasised. In 1924 the whole Peninsula, less the lighthouse area, and an area between Popham and Trengon Bay (Miscellaneous lease 83 then 215) was gazetted as a Flora and Fauna Reserve. In 1940 the Reserve was reduced to that part of the Peninsula west of 132° 20'E, the remainder being incorporated in the Arnhem Land Aboriginal Reserve.

In 1961 the boundaries were redrawn again with the area between present claim boundary and east of latitude 132° 20'E being removed from the Aboriginal Reserve and being reincorporated into the Wildlife Reserve. The area that had originally been leased in the Popham Bay - Trengon Bay area eventually became vacant Crown Land and was then declared part of the Wild Life Sanctuary.
The Reserve on which the lighthouse stands (formerly R902) was acquired by the Commonwealth on 29th June 1979. It seems that long standing plans to make the lighthouse automatic will at last be implemented and that by 1984, or earlier, the houses at Cape Don will become vacant.
The Aborigines of the Cobourg Peninsula have had a long history of contact with seafaring peoples of other areas and among the indigenous people of North Australia their association with British settlers was one of the earliest and most enduring. Despite this long history, the historical record is sketchy, and for some periods particularly during the 100 years between closure of the Victoria settlement and the earliest efforts to move the Aborigines off the Peninsula, there is little information available.

The earliest European contacts may have been with Dutch seamen who sailed in the area in 1636, though there is no record of landings or exploration from those times. Trepang fishermen from southeast Asia—chiefly from Macassar—regularly visited the area for extended periods to collect and process the highly desirable sea-slug, and take it back for Chinese markets. McKnight (1976:1) states that several hundred trepangers would spend four or five months per year in Australia. Many of these worked out of camps which they established on Cobourg Peninsula and to which they would return annually. With such regular and extended contact the Macassars naturally developed trade and other relationships with the Aborigines. Many Aborigines could speak "the Macassan language" and they were so accustomed to strangers being Macassans that they would speak to visiting Englishmen in that language (Earl 1846:244).

In 1818 Captain Phillip King sailed the Mermaid (from Sydney) to North Australia and surveyed the Cobourg Peninsula. He was greatly impressed with one harbour on the Peninsula which he named Port Essington and predicted that it would be an important
post for trade between New South Wales and India (Peeken et al. 1970). Port Essington eventually became a military settlement, but not until two other locations in the area had been tried. In 1824, the first settlement (Fort Dundas) was established on Melville Island with a white population of military men and convicts. This settlement was plagued with difficulties including, according to Sweatman "the natives, who were a savage hostile race" (Allen & Corris 1977:135).

An alternative was sought and Fort Wellington was established on the Cobourg Peninsula at Raffles Bay in 1827. Fort Dundas was abandoned in 1829.

The Raffles Bay settlement was an equally unsuccessful venture and was also abandoned in 1829 after two years. However several historical accounts give some details about the Aborigines in the area. Wilson (1835) a surgeon in the Royal Navy who visited Raffles Bay in 1829, describes aspects of Aboriginal life and interaction with the British settlers. He quotes at length from the diaries of Captain Smyth, the first commandant and Mr. Duncan, the doctor which include details about the Aborigines. There are no estimates of the population given but several statements indicate that these were substantial, e.g. Wilson (1835:76-77) mentions that they were paid a visit by "fifty, mostly athletic and active-looking men, headed by a fine and venerable-looking old man named Wooloogary, the Chief of Croker's Island". A list of Aboriginal words and names sent in a report to the Colonial Secretary indicates that there were at least 24 Aborigines in the vicinity of Fort Wellington in February, 1829 (N.S.W. archives 4/2060.2). It appears from Wilson that fear and caution in approaching each other characterized both the whites and the Aborigines. The Aborigines would often enter the settlement under cover of darkness and sometimes stole items, especially iron and nails, from the settlement. Most of the whites expected hostility and treachery from the Aborigines and there are several reports of the soldiers
firing at the Aborigines. Though generally sympathetic to the Aborigines, Wilson stated: "There can be no doubt that the natives, by exercising their pilfering habits, were the aggressors [though he adds a note that: "It is far more excusable, however, in these untutored beings, than the same crime when committed by those calling themselves civilized" and cites an example of a sailor stealing from Aborigines with impunity (Wilson 1835)]. He describes continuing problems and hostility between the two groups which led to a major attack on the Aborigines:

"They [Aborigines] were very cautious in approaching the settlement, - and well they might, - as they were fired at without distinction ... a soldier of the thirty ninth was speared at a very short distance from the camp. The wound was dangerous, and the man's life was despaired of. He, however, ultimately, recovered. [He notes this was the first act of aggression on the part of the natives] ... it was determined that a severe example should be made of the culprits ... A party of the military (and, I believe, also of the prisoners) were despatched in search of the natives. They came unexpectedly on their camp at Bowen's Straits, and instantly fired at them, killing some, - and wounding many more. A woman, and two children, were amongst the slain; another of her children, a female about six or eight years old, was taken, and brought to the camp and placed under the care of a soldier's wife.* After this, the natives kept aloof from the settlement" (Wilson 1835:148).

* This child, named Marg Waterloo Raffles, (Aboriginal name Riveral) was kept in the settlement, is included in censuses and Wilson reports (p.94) that she was taken to Sydney when the settlement closed.
PLATE 1: A dance at Raffles Bay in 1829 (Wilson 1835:88).
Wilson gives the figures as to the number of people killed.
However, Bennett, in what appears to be an account of the same incident, estimated that around 30 people were killed. It is interesting to note his version:

... after being perpetually attached Captain... Smythe the Commandant, determined to try the effect of a severe lesson; he accordingly turned his people out and in one night shot about 30 of the natives the rest flying for their lives. The consequence of this decisive measure may be imagined when it is remembered that the severest conflicts of the natives themselves seldom involve the loss of more than one life, and even that is sufficient to throw a whole tribe into the deepest sorrow and frenzy."

Besides the anguish over such a loss, another serious result of such an attack would certainly have been severe depletion of the population.

The Europeans left Raffles Bay in June 1829 on the instructions of the New South Wales Colonial Secretary. No further attempt was made to establish a permanent settlement on the Cobourg Peninsula until 1838 when a small group of military people and convicts under the command of Sir J. J. Gordon Bremer set out from England via Sydney to establish a British presence in the area. It was thought once again that this would give them an advantage in establishing trade links with South East Asia and the region was made in response to rumours that the French were planning to take over the North Australian coast (All en & Corris 1977:136). The settlement was established at
Port Essington and was named Victoria. This settlement served as a military outpost, a haven for ships and a base from which the British could control the trepang trade in the area (Spillett 1972:13). Relations with the local Aborigines appear to have been mostly good, though there are no substantial reports. The following selections are from reports by Capt. McArthur of the Royal Marines who succeeded Bremer as Commandant, to the Colonial Secretary.

"We really have learnt very little of the actual state of the Aborigines ... They have learned some English, whites none of their language". (February 1840).
"They also tell me that the natives are very discontented at our occupancy, and say, nothing but the dread of our fire arms deters them from attacking us". (April 1841).
"The natives suffered severely during the last season from catarrh, inflammation of the chest and ophthalmia. I am happy to say that we had a good proof last month that their feelings towards us are becoming more reconciled ...". (September 1841).

If the Europeans' knowledge of the Aborigines was slight it is evident from Leichhardt's experience that the Aborigines' knowledge of the settlement was, by contrast, widespread. On the East Alligator he was addressed in English by an Aboriginal man: "Commandant!" "come here!!" "very good!!!" "What's your name?!?!?" (1847:502) and found evidence that these people, over seventy miles from the settlement, "knew the pipe, tobacco, bread, rice, ponies, guns etc." (1847:522). In the neck of the Peninsula he came across a large camp of people in spacious huts (1847:526) but saw fewer people between there and the settlement.
One consequence of contact with outsiders was the incidence of disease which, more than violent conflict, seemed to be responsible for the depreciation of the populations on the Peninsula. McArthur reported:

"The natives have suffered extremest misery and have been carried off in great numbers, for so small a community, by a disease which commenced with a common catarrh and finally settled on the viscera accompanied with inflammatory symptoms. No language can convey an adequate idea of such scenes of destituutions and wretchedness as those natives presented ... down in Mount Norris Bay as many as sixty names of deceased natives have been collected." (August 1847)

"...the natives have this year suffered great mortality. The early season of this monsoon was unusually cold and boisterous and they were attacked with a species of influenza which reduced them to such a state that nothing but our assistance preserved them from an exterminating mortality. We heard wretched accounts of those beyond our beach ..." (October 1847).

Though sympathetic to the Aborigines, McArthur had little appreciation for their culture. In May 1848 he reported having "trouble with the natives who objected to the Europeans interfering in their fights. He notes that he, and the Roman Catholic missionary Father Confalonieri who working among the Aborigines, 

but at Black Point (see Spillett 1972:135) agreed that "if anything can be accomplished in improving these wretched beings, it must be by taking the rising generation apart from their relatives ... so that they might grow up in ignorance of their parent modes and habits of life. Thus there can be little promise of attaining any control over them, for the adults are extremely jealous of leaving their children for any time with us".
Sickness plagued the Europeans as well as the Aborigines and for this reason, plus the fact that the importance of North Australia in trade did not develop as expected, the Port Essington settlement was abandoned in 1849. This change meant a reduction but not a cessation in interaction between Aborigines and European settlers in this part of Australia. The available records show a continuing presence in the Peninsula of trepangers from Southeast Asia, explorers, pastoralists and government officials.

Between 1849 and 1873 only Aborigines and Macassans appear to have frequented the Peninsula. There were some brief visits by Europeans, but none took up residence. The most important information from this period is provided by Poelsche who notes that in 1866 a small-pox epidemic ravaged the Unalla tribe around Raffles Bay (1886).

In 1871 John Lewis took out a pastoral lease over the western half of the Peninsula. He only reached Port Essington in 1873, however, as part of the search party looking for the explorers Permain and Borrowdale who were lost while on an expedition between Port Darwin and Port Essington.

Lewis returned with his partner, Levi, the following year and built a homestead, boatshed and dog-leg fence across the neck of the Peninsula with the help of the Aborigines (1922:148). He describes the people of the areas thus:

"These natives were friendly and useful [presumably in contrast to "hostile" Aborigines he'd met in the Alligator Rivers area] ... they were different from any other tribe of natives I had ever met. What English they spoke they spoke properly: There was no pidgin English among the old hands who had been
there at the time of the military camp ... The natives all along the coast had good canoes, cut out of a solid tree ... They travelled across the bays, and sometimes round the coast, in these canoes, but not in very rough weather. There were plenty of yams and game for the natives, besides turtle eggs, alligator eggs, jungle-fowl eggs, and fish of all descriptions ...

There was probably no other place in Australia where the natives got so much food as easily as at Port Essington ..." (1922:150-152).

Towards homestead rapidly attracted the region's Aborigines so that within a year of its completion there were over 250 camped beside it (Berndt and Berndt 1954:94-5). It seems likely however that some of these people came from western Arnhem Land because five years later in June 1880 Poelsche only saw "a few friendly natives at the Cobourg Cattle Campany's station" (Berndt and Berndt 1954:127) and he commented that, "Though the Unalla tribe [of Raffles Bay] was at one time numerous, it was reduced in 1881 to seven men, twelve women, nine boys and two girls [30 people in all]" (1886:270).

Further E.O. Robinson who lived almost continuously in the claim area from 1874 to 1899 while mentioning Aborigines, whom he often employed, never suggests gatherings of this size. However, he reported in 1883 that the Aborigines at Victoria were unfriendly and in 1884 Searcy made the same observation (Berndt and Boich 1954:96 and 81). This Robinson (Berndt and Boich 1954:96) attributed to the decreasing number of Macassan visits (see Hocken 1976:28) for which the Aborigines blamed the whites. A measure of the closeness of the Peninsula's Aborigines to the Macassan at this period is indicated by the report that of the 17 or so Aboriginal men seen in Macassan in 1877, all were said to be from Port Essington (Berndt and Berndt 1883:217).
PLATE 2: John Lewis's homestead at Port Essington (November 1877). (Foelsche Collection, National Library.)
After four and a half years at Victoria as manager for the Cobourg Cattle Company, Robinson moved to Bowen Straits where he manned the Revenue Station from 1884 to 1899 under the delightful title of "Landing Waiter" (see Searcy 1905:47). As Macknight makes clear (1976:119) Robinson had a number of Aborigines working for him there including Flash Poll, a well known Aboriginal identity of the period. Even better known was Jack Davis. He had been taken away to Hong Kong and spent sometime there before being returned to Port Essington by a Captain Pascoe (see Lewis 1922:154-6). Davis spoke excellent English and encouraged Lewis to take his son Nanyunya to Adelaide in 1876. But Davis's real claim to fame was that he lived to a ripe old age carrying personal experience and stories of the Victoria settlement into the second decade of the 1900s.

Robinson was not the first to work the eastern half of the Peninsula. In 1876, shortly after Lewis and Levi took up their lease, Dewar and three others took up the adjacent area and shot 1000 buffalo (Searcy 1907:47), but unlike Robinson they did not work trepang.

When Robinson sold out in 1899 his place as customs officer was taken by Alfred Brown who remained on the Peninsula until the Second World War working trepang. His name has been taken by one of the claimants closely associated with him for much of his life. As customs officer in Bowen Strait, Brown had little to do as the high duties were achieving their purpose of keeping the Macassans away (Macknight 1976:109-126; Berndt and Berndt 1954:82) and the beds were being overfished (1976:122). In 1907 the granting of licences to the Macassans was completely halted, bringing to an end a long, complex and ambivalent history of Aboriginal/Macassan interaction.
although there are no firm population figures it is clear that
the Aboriginal population of the Peninsula had been
reduced in numbers through disease and influenced by
prolonged and intense contact with both Europeans and Macassans.

The situation may have stabilized somewhat by 1912 for Le Soeuf,
recently employed by the Melbourne Zoological Gardens, who visited Port
Essington to release deer on the Peninsula, describes the
population he saw as healthy.

The deer were consigned to the care of a Jimmy Kafan, "an intelli-
gent Maori", living on the Peninsula. The 20 Aboriginal men and
women living in Kafan's camp assisted in unloading the deer.

Le Soeuf thought that the Aborigines were keen to help care for
the deer and would not kill them for food because, "those
Aborigines on the Cobourg Peninsula are partly civilized and
usually obtain sufficient food or nearly so from the owners of
Trepang Stations on which they work, and turtles, dugong and fish
are also abundant". He also noted that the Aborigines "seemed
perfectly contented and happy and free from any disease".

Interestingly, he mentions that when they first arrived they saw
no Aborigines. "Jacky Davis who was about 75 years of age and
whom the late Capt. Pasco in the early days of Port Essington
Settlement took to Hong Kong" told him the others had run away
when they heard the boats whistle because "they thought it was
the Inspectors (Customs?) coming to take them to Bathurst Island
a proceeding he said they strongly objected to" (NT 005211
November 2, 1912, CA A3 13/3577).

In 1917 a lighthouse was established at Cape Don to serve ships
passing through Dundas Straits, between Melville Island and
Wiluna Peninsula. This introduced a permanent white population
on the western tip of the Peninsula that is still there today.
Throughout the 1920s and 1930s there were several independent trepangers with bases on the Peninsula. The most detailed account of their life is given by George Sunter, himself a trepanger, in his book *Adventures of a Trengang Fisher* (1937). Sunter was originally employed as a temporary lighthouse keeper at Cape Don in 1927, but turned to trepangging from 1928-1933.

Although Sunter mentions many individual Aborigines, and offers anecdotes about their ceremonies, fights, etc., he does not provide a detailed account of the populations, languages or cultures of the area. He and other trepang fishermen, notably Alf Brown and two Japanese trepangers Mona and Tomoro who worked with Sunter, all employed a number of Aborigines as labourers. They set up camps at various points along the coast including Blue Mud Bay, Junction Bay, Popham Bay, Gum Point and several other places. They would fish for trepang from these places, moving from one to the other in their quest for the highest yield. Sometimes local Aborigines were employed and sometimes the man in charge would bring with him a crew of Aborigines from another locality. Always, however, there were local people around and they would have some contact with the trepang camp.

Besides trepangging the 1920s saw the development of small scale timber milling by Reuben Cooper in Mt. Norris Bay (McKenzie 1976:114). This was later extended into the neck of the Peninsula and the mill taken over by the Lee Brothers on Cooper's death in 1942. The sawmill operated until 1962 when it was closed. It was particularly significant as a focus of population drawing people from as far afield as Cape Don and the Liverpool River to work there. The other focus, was of course, Cape Don which increased in importance at the outbreak of World War II when the Welfare authorities arranged for the
PLATE 3: A sand fly dance to celebrate the landing of a D.U.K.W. at Cape Don in 1963. (Photograph: Australian Information Service.)
lighthouse keeper to issue rations to, "the aged and infirm and children" (AA 63/1820). Thus while some people lived around Cape Don others were at the sawmill or living in bush camps in Raffles Bay, Port Essington, Blue Mud Bay or Trepang Bay. People from all over the Peninsula would regularly visit the lighthouse even if they lived elsewhere. The War saw the last of the rugged individualists who had populated the Peninsula since 1873, leaving Aborigines very much to themselves from 1945 until 1970, especially in the years following the closure of the sawmill.

From the early 1950s the Welfare Branch began to urge the Aborigines on the Peninsula to move to another location where their children could attend school and other services could be provided. From the outset the people resisted this plan. They wished instead to have a school and other facilities established on the Peninsula. They were reluctant to do this primarily because they did not wish to have to leave the Peninsula for education. But they were also reluctant because until 1964 the mission on Croker had a policy of keeping tribal Aborigines away from the part-Aboriginal children for whom the mission was run. Indeed at the time the mission was founded some of the local Croker Island Aborigines were made to leave the Island and move to the Peninsula (Chaloupka nd:24-25).

A variety of suggestions were made as to where they should go. Amongst these were Snake Bay on Melville Island, Bagot or Delissaville in Darwin, Oenpelli and Croker Island. All of these suggestions met with resistance from most of the Aboriginal people, but eventually most went to Croker Island where they had close ties with the local people.

The Welfare Branch correspondence and reports on this matter show very clearly how over a number of years pressures were exerted by the officials and resistance was the response of the people.
The following selected quotes from the files are revealing of this. October 15, 1953 to Director of Native Affairs from the Senior Education Officer:

[Two months earlier another official had visited Cape Don and suggested that they move to one of] ... three centres - Croker Island, Goulburn Island and Oenpelli. He reported that they did not favour the first because the staff was unpopular. The other two were not acceptable because they were too far away and the people belonged to different tribes. They expressed a desire to go to Bagot with their children ... [during the more recent visit] we discussed with them again what would be the most suitable place for their children's schooling. On the first day they did not express a preference for Bagot ... We asked them to consider Snake Bay but they were not in favour of it .... Oenpelli did not appeal to them at all ... The majority of old people ... were in favour of Goulburn Island where there are several Iwaijas.

I did not go ashore on the final afternoon of our visit but when Mr. Hickey [the boat owner] did, he was met by a number of the adults who asked him to tell me that they were not prepared for their children to go to Goulburn Island. Instead they wanted to accompany them to Bagot. ... This officer, however, considered Bagot an inappropriate place for them. He also noted in his report that: "I have not sufficient information to indicate whether the Iwaijas would be prepared to leave their traditional country for good ... I believe that their concurrence is essential for any successful move. If the remnants of the tribe should agree to transfer it must be expected that they will want to visit the country from time to time."
PLATE 4: The head lightkeeper at Cape Don, Mr. R. Kersting paying men for services rendered with money and food stores in 1863. (Photograph: Australian Information Service.)
In 1956 seven Cape Don people did agree to be moved to Croker Island (they were people who were originally from Croker Island anyway) and some others said they would go to Croker Island anyway. Several others "refused" to accompany [the Welfare Officers] to Croker Island. The Officer stated in a report: "In answer to their request for the establishment of a native settlement at Cape Don or Point (sic) Essington I pointed out as well as I could that the new settlement being established at Warrabri and in future at Alice Springs and Liverpool River, together with projects already established, it was most unlikely that there would be funds or staff available for a long time if ever to establish a settlement for a mere 50 or 60 natives especially if there is a place for them to go in their own country already. The complete reversal of policy by the Croker Island Mission and ourselves must be hard for them to understand and it will probably take a few months for them to get used to the idea and drift back to Croker Island, as I think they eventually will if there are no rations for them at Cape Don." (emphasis added). On 8 July 1958 the Director reported that there were 69 people at Cape Don and suggested they be moved to Snake Bay. However in a report dated 23 July 1958 the Chief Welfare Officer said inter alia "... despite the ease of travel to Darwin (canoes and fortnightly boat service) the bulk of these people stick close to their country and have a close attachment to it ... despite the knowledge that rations are still available for the aged, the children and pregnant women, at Croker Island, the bigger proportion of the population have returned to Cape Don and its environs". His efforts to persuade them to move to Snake Bay met with "flat refusal" on the grounds that "we do not know their language", "how can we hunt when we do not know waterholes" and "the old people want to stay here". In October the same officer suggested that a (aged and infirm) hostel be established at Port Essington.

In 1961 the Senior Research Officer (Al 59/2336) in a report to the Director stated: "The Cape Don community has been diminished
as a result of persuasion to have the people move to Croker Island or Darwin for employment and schooling. The Croker Island group ... has greatly increased". Yet, in September 1962 another report on Cape Don (by Evans, Chief Wel. Off.) commenting on the "perennial problem" with the Aboriginal residents there, stated: "It is difficult to explain on paper the attachment of these people to their tribal country ... the Cape Don natives are a proud and very independent group and are not prepared to be pushed around". And in January 1964 a comment on the Cape Don census was "There appears to be every reason to suppose that a community of about this size (35) will remain for many years at Cape Don ... The people here could have moved to Croker Island or Darwin long since if they were interested in leaving the lighthouse area".

And in October of that year another report stated "The transfer of the ration depot had this objective [of "reuniting the Iwaidjas"] as one reason for the move but it is manifestly evident that Croker Island is not satisfactory to the total group as a place of settlement and those wards presently living at Cape Don have persistently refused to move Croker Island from the Peninsula". Eventually all the Cape Don people did move to Croker Island, the last being Robert Cunningham and his family and the Nelsons in June 1970.
PLATE 5: Another view of the dance at the lighthouse to celebrate the landing of the D.U.K.W. in 1961. (Photograph: Australian Information Service.)
Although no substantive fieldwork has been carried out on the Peninsula or with the peoples of the area, a considerable amount of information about the Aboriginal inhabitants is scattered in the works of travellers to the region and scholars who have worked nearby.

Much of the detailed information collected before the First World War is linguistic (see Soravia 1975; Wilson 1835; Earl 1846; Poelsche 1886). References to social life in this period are less systematic and more widely scattered through a greater range of literature. The most substantive accounts are to be found in the works of Wilson, Earl, Sweatman, Robinson and Spencer. Wilson (1835) supplies interesting information based on a visit to Fort Wellington and Earl (particularly 1842 and 1846) and Sweatman (see Allen and Corris 1977) on the basis of residence at Victoria. Subsequently Robinson (nd) who lived at Croker Island, Victoria and the Revenue Station from the 1870s to the 1890s (see Berndt and Berndt 1954:95, 117, 126, Scarcy 1905:47) provided Howitt with some notes on the people of Raffles Bay and Port Essington and Baldwin Spencer (1914:46, 69-71) collected information from the Port Essington people who acted as Joe Cooper's body guard on Melville Island (see Mulvaney and Calaby nd., Chapter 15:11-12).

Since this period further linguistic work has been carried out among Iwadjja speakers living at Croker Island, some of whom are claimants (see Hinch 1969; Pym and Larrimore 1979; Sayens and Pym 1977) and additional but limited information on social organization has been obtained by Warner (1933). Much the most important recent information is contained in the works of R.M. and C.H. Berndt although the people of the Peninsula have not been
The focus of a published study by them. However, their writings on the people of western Arnhem Land (see especially their joint publications of 1951 and 1970) include a number of references to the Peninsula and the Iwadja that make it evident that there is a broad similarity between the social life of the claimants and the peoples of western Arnhem Land. Specific information relating to the claim area is included in R.M. Berndt's book on sacred sites in western Arnhem Land (1970) where portions of several maps cover parts of the Claim area (see 1970:vi).

In 1947 Bill Harney published the life story of Marmel, an Iwadja speaker whose country appears from the book to have been within the Claim area (see 1963:69, 35). However, not only is the account so generalised as to be of little interest but it is the opinion of some of the claimants that he was a Larakia man.

Just before the last of the claimants left the Peninsula Dr. Carmel White spent ten days living with twenty-three of them at Popham Bay (White 1968), observing the collection and use of marine resources. Most recently Chaloupka (nd) has made a preliminary census of clan memberships and mapped the distribution of territories and place names along the coastline but without visiting the area. Despite this limited information the general outline of social organization on the Peninsula is clear.
SOCIAL ORGANIZATION

Among Europeans it is common to refer to the people of the Peninsula as the Iwadia (alternatively spelt Iwaidja, Jiwadja, Yiwadja, etc.) although it is not and never was a "tribal" name for the Peninsula's inhabitants. Iwadia is the name of a dialect which was traditionally used by only one of the five claimant clans, the Muran, and their southern and eastern neighbours who lie outside the claim area. However, during this century Iwadia has come to be the lingua franca used by all residents of the Peninsula although the older Claimants still know their own clan dialects (see Table 1).

<table>
<thead>
<tr>
<th>Clans</th>
<th>Dialects</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agalda</td>
<td>Wurugu/Wudang</td>
</tr>
<tr>
<td>Ngaindjagar</td>
<td>Garrig</td>
</tr>
<tr>
<td>Medjubalmi</td>
<td>Garrig</td>
</tr>
<tr>
<td>Muran</td>
<td>Iwadia</td>
</tr>
<tr>
<td>Mandilari</td>
<td>Marrgu</td>
</tr>
</tbody>
</table>

There is no evidence that the people of the Peninsula had a single name for themselves nor is the term Iwadia yet as significant for self identification among themselves as it is to, and for, Europeans.

Nobody has provided an estimate of the pre-1827 population of the Peninsula, and those who have considered the issue, such as Wilson (1835:165-166), found it impossible to guess at. A reasonable estimate of the original population can be made however by extrapolation from population densities on Islands in the Arafura Sea, where the impact of coastline on numbers
parallels that on the Peninsula, itself virtually an island. Much the best information comes from Groote Eylandt which at one thousand square miles is quite close to the Peninsula in size. Rose (1960:209) estimates the original population to have been around 300 giving a density of 1 person to 3.3 square miles. Transferred to the 740 square miles of the Peninsula this gives a Pre-European community size of 224. Thus a figure between 200 and 250 for the original population seems likely. Even if the complex northern coastline might lead one to expect a higher figure it has to be remembered that the south coast from Wurgurlu Bay eastwards is relatively inhospitable according to both the Claimants and the Wildlife Ranger.

The significance of this population size is that it indicates the Claimants number about a fifth to a quarter of the original population and underlines the impact of disease on their numbers. Obviously such a drop in numbers has implications for their social organization particularly within the context of the long and continuous level of interaction with outsiders. One consequence is that two clans have died out and a third is threatened with extinction (see below). Another is that such numbers are not adequate to maintain distinct religious cults but led to the people being drawn more closely into the religious life of western Arnhem Land. This is not to suggest however that the people of the Peninsula had no links with those of western Arnhem Land prior to the coming of Europeans, - on Leichhardt's evidence alone it seems fair to assume they did, - but that when the Peninsula population was larger it could sustain its own independent cults which do not exist today.

Social organization on the Peninsula today is broadly similar to that of the western Arnhem region. A principal feature in both areas is the division of the population into named, exogamous, matrilineal groupings. These groupings are reported by Earl
from Port Essington (1846:240-241) who called them "castes" and noted they were three in number: manjarojalli, manjawuli and mambulgit. Spencer writing 68 years on (1914:115) reports the same three terms but like Earl makes no mention of matrilineal moieties nor of the subsection system. These latter two features, it seems, are post 1911 introductions into the region (see Elkin, Berndt and Berndt 1951:258). It is also evident that there have been changes in the three named groupings mentioned by Earl and Spencer, for there are now four of them. Such expansion of this kind of division has been recorded on Melville and Bathurst Island (see Elkin, Berndt and Berndt 1951:256) and in the Oenpelli region where a fifth division seems to have come and gone (see Berndt and Berndt 1970: 61, 64-66). The significance of this change in the context of this claim is that despite population decline and extensive external pressures on the Claimants' way of life they have responded creatively, and not simply by letting go of past-practices and distinctions. With respect to social life in general and land-ownership in particular, the sub-section system has none of the significance it bears in the desert cultures of the Northern Territory.

The kinship system is Kariera-like but has no direct bearing on the claim.
PATTERN OF LAND OWNERSHIP

Until 1951 the pattern of land-ownership on the Peninsula appeared to be quite atypical for Australia, as far as the published literature was concerned. This was because Spencer reported that, 'descent of both local group (or division) and of totemic group is in the female line' (1914:46) whereas for the rest of the continent it has almost universally been reported that membership of the local group (land owning group) passed down in the male line.

It is not entirely clear why Spencer said this although it may have been because he thought that the three named matrilineal groupings he had recorded were land-owning groups or at least had a firm territorial referent (cf. Elkin, Berndt and Berndt 1951:258). This completely atypical pattern of land-ownership for Australia was shown to be an ethnographic error by the work of the Berndts who documented the existence of patrilineal land-owning groups in the Gaspelli-Goulburn Island area in 1951 (see Elkin, Berndt and Berndt 1951:293-295). This area includes Iwadja speakers whose territory lies on the Peninsula. There is, however, much earlier and independent evidence from E.O. Robinson for the land-owning group being based on patrilineal descent on the Peninsula. In the 1880s he provided A.W. Howitt with some notes on the Raffles Bay tribe in which he states, quite unambiguously that, "The children consider their fathers country theirs and speak his language" (Robinson nd:2).

The Berndts recorded the generic name for such patrilineal land-owning groups as gunmurgur in Gunwinggu and namanamaitj in Maung. Among the peoples of the Peninsula the term for the patrilineal land-owning clan is yiwurumu. There are four
As mentioned above, population decline has led to the known extinction of two clans and the imminent extinction of a third, the Madjumbalmi clan, which is currently reduced to two elderly women. This means that the people have come to grips with succession problems several times recently and have a clear way of dealing with them. Land passes through the male children of the female landowners to their children. That is to say land is inherited from the FM in the event of a clan extinction. Thus on the north coast the area around Vashon Head used to be owned by the Minaga clan. They have, however, all died out, and the land is held jointly by the two adjacent land owning groups, Agalda and Madjumbalmi because the senior members of both called Minaga FM. Similarly the south coast area from Wangarlu Bay east and the western portion of Endyalgout Island were Mamagad clan territory but they too have died out. However the last Mamagad woman was FM for Peter Namunur and siblings so the land is now held by Murun clan. It is not entirely clear to us what the status of the female land-owner's children is in this transmission process, whether they are seen as simply custodial, for the following generation or whether they are conceived of as owners in their own right. Both possibilities were implied in discussion with the Claimants. However in the case of the Madjumbalmi clan, the only woman with children, Lily Davis Malyulgijdj emphasised that her sons' children are the principal heirs.

Another point of interest in connection with the issue of succession arises in the case of the Ngaindjagar clan. The senior clansman, Jack Brown Arkarbi who has no children of his own asked his ZS if he could adopt a son of his as he - Jack had no children to look after him. This arrangement was made when the boy was an infant and consolidated by Jack Brown Arkarbi giving the child, Ronnie, a Ngaindjagar name - Ngundirwuy. It was quite explicit at the time the arrangement was made that the purpose was for Ronnie to look after Jack and his wife.
principal yivurumu on the Peninsula: Agalda, Ngaindjagar, Madjumbalmi and Muran. A fifth clan, Mandilari, has a small interest.

Clans are sometimes groups together as "one countrymen", nabunudin (see Table 2).

<table>
<thead>
<tr>
<th>Ngaindjagar</th>
<th>Muran</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mandilari</td>
<td>Gamulkban</td>
</tr>
<tr>
<td>Ilugidj</td>
<td>Miyuram</td>
</tr>
<tr>
<td>Manunum</td>
<td>Maningar</td>
</tr>
<tr>
<td>Mangarayi</td>
<td></td>
</tr>
</tbody>
</table>

While there is general agreement on which clans go with which, and that neither Agalda nor Madjumbalmi is currently in a "one-countrymen" relationship with any other clan, it is not easy to pin down the significance of these groupings. This is partly because such significance is contextually dependant. However it is commonly emphasised that the member clans are closely related and when talking in abstract terms that they have free access to the food resources of each others territories. However at other times the self-same people who have asserted a sharing relationship will emphasise that everybody must ask them before using their country. The situation is further complicated by the existence of lineages within some of these clans, two lineages of the same clan not necessarily having the same relationship to other clans. Although the full significance of the "one-countrymen" relationship is not clear it does mean that members have mutual claims on each other beyond those of other clans. It was emphasised that this relationship is of a social rather than religious nature.
in their old age and that he would inherit the Ngaindjagar country, since none of the other males of the clan have male descendants. This arrangement means, of course, that Ronnie has been adopted into his FM clan.

Where unmarried women have children the general practice is to allocate them to the clan of the woman's original promised husband or the clan of her first correct husband. There is not always complete consensus on these points and in one or two cases one child of a mother may be allocated to a clan in the above way and another to the mother's current husband. The key indicator to the clan of a child of an unmarried mother is, however, the clan to which its Aboriginal name belongs.

Another feature of rights in land is the importance that accrues from being born in an area, whether or not it is a person's own estate. Not infrequently men went to live with their wives on marriage so that their older children, at least, were often born and grew up in their mother's country. This is the case of Nelson Mulurin, the son of Lily Davis Maluygigij, who has spent the greater portion of his life living around Port Essington and is much the most knowledgeable, active person about the Madjumbalmi estate. Despite the matrilineal emphasis in the social organization there is no managerial relationship as such, although the mother's country is important to all the claimants. Birth in the mother's country simply reinforces rights to use its food resources; birth in an estate that belongs neither to the father or mother confers use rights.

According to Foelsche (1886:272) people used to be taken back to their birthplace at death and buried there. This is not a practice acknowledged today but there is a preference for burial on one's own clan estate, and Lily Davis Maluygigij has specifically requested her SS to bury her in the region of Smith Point.
The clan estates are well defined along their coastal frontage but near boundaries inland do not exist. Each estate has a "big-name" that is used to refer to it as a whole - see Table 3.

Table 3: "Big-names" for the clan estates.

<table>
<thead>
<tr>
<th>Clan</th>
<th>Estate Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Munan</td>
<td>Maraiya¹</td>
</tr>
<tr>
<td>Agalda</td>
<td>Djamalingi²/Innyuriying</td>
</tr>
<tr>
<td>Ngaindjagar</td>
<td>Gulgun</td>
</tr>
<tr>
<td>Madjumbalmi</td>
<td>Wunali</td>
</tr>
</tbody>
</table>

There are relatively few place names inland, although there are certainly more than are known to us, but there are several score names for places in each estate along the coast and in the sea. Where the reef only extends a hundred yards or so from the shore the shore name refers to the reef as well. But where the reef is extensive or discontinuous with the shore at low tide, it is always named. The Agalda estate includes at least thirty nine place names in the sea. The great majority are reefs or sandbanks, the remainder isolated rocks or particularly deep patches of water.

Finally some brief comment needs to be made about the Mandilari interest on the Peninsula. The principal part of the Mandilari estate is on Croker Island but they have a small area right at

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¹ This interesting that Leichhardt (1847:533) gives the name Marair for a large fresh water swamp in Raffles Bay.

² This is a place name right at Cape Don that is also used as a referent for the whole estate.
the tip of the Araru point that extends over the adjacent reef area. Such a relationship is mirrored by the Ngaindjagar clan that has a small tract of land on the southern tip of Croker Island (see Chaloupka nd.) although its main area is on the Peninsula around Danger Point. These areas, while of long standing, are said to arise from social arrangements between the clans as a result of intermarriage rather than from the movements of heroic ancestors.
PATTERN OF LAND USE

It is evident from the historical literature, our own discussions with the Claimants and the general ecology of the Peninsula that there was a very strong coastal orientation to the subsistence economy. Wilson writing on the people of the Raffles Bay area in 1829 says:

"Their food chiefly consists of fish, which they spear very dexterously. Catching turtle seems to be a favourite occupation with them ... they also make use of shell-fish, which it is probably the business of the women to collect. They do not eat trepang ... but the various native esculent roots and fruits, together with cabbage-palms, afford an agreeable addition to their usual fare. They are very fond of honey, which appears to be in abundance" (Wilson 1835:164-165).

One hundred and thirty-nine years later in 1968 Dr. White noted, on the basis of ten days spent with 23 of the Claimants at Popham Bay, that the men and boys took a dugout canoe to the open sea nearly every day seeking turtle and dugong. At low tide the women gathered shellfish and crabs while the men speared fish in the shallows. At high tide the men turned to fishing in the creeks (White 1968). The peoples' diet in 1968 was supplemented by carbohydrates from the stores boat that came out to the lighthouse each fortnight.

The vast majority of camp sites mentioned to us were on the coast, particularly on open beaches, points and headlands where the breezes kept at bay the hosts of sand-flies by day and the mosquitoes at night. Also important in the location of camp sites was the availability of freshwater which was mainly
obtained from wells located behind the beaches. Without a detailed knowledge of the locations and reliability of these wells it would not be possible to live on the Peninsula as freshwater is a relatively scarce resource. The people did, of course, use the resources of the inland, particularly those from the freshwater streams and swamps such as long necked turtles, and geese and the long and round yams from the stands of monsoon forest. The open forests that predominate in the interior of the Peninsula were mainly important for their honey.

The people conceive of themselves as coastal people quite explicitly: Alf Brown Mingimigi spoke of the Claimant clans as, "one line, all the beach people" and emphasised that they had a mutual freedom of access to the food resources in each others estates. As mentioned above these estates extend out into the sea with reefs up to five miles from the coast being named and visited in calm weather. There is a wealth of knowledge of currents, sandbanks, breeding localities, water depths and good hunting localities off-shore as well as along the beaches.

From the early accounts and the Claimants' reports there are footpaths criss-crossing the inland linking the bays with each other.

Besides having worked the coast for trepang and the stands of pine for others prior to the Second World War, the Claimants and their relatives hunted crocodiles, stuffed baby turtles, collected salt and made artefacts on their own account for sale through the men on the supply barge from the post war period onwards.
SPIRITUAL RESPONSIBILITY FOR

AND AFFILIATION TO THE LAND

The Claimants are active participants in the religious life of the region. All the adult men, including Hubert, Charlie and Ronald Cunningham, Peter Namunur, Brian Jambigbi and Phillip Gambinyara are active in the mardyin, kunapipi, lorkun, guwar and djamalag ceremonies (see Berndt and Berndt 1970 for descriptions of these). Old ceremonial grounds where the mardyin and guwar have been held on the Peninsula such as at Uwiri, Wagali, Duwalbi and Ullunu are all places of importance.

The identification of people with their estates emerges clearly at death, particularly when a senior clansperson dies. Following the death of such a person a prohibition is placed on anybody taking food from the estate except in the immediate vicinity of the camp. This prohibition is then lifted area by area in the following months by the performance of the malar rite in which a turtle is caught, cooked and eaten at a ceremonial meal. This then lifts the prohibition and returns that section of country to its original state. If the deceased is a particularly important person one area on the estate may remain prohibited for several years in memory of them.

Another spiritual connection between the people and their country arises from conception. Children's spirits are nearly always found by their father on his own estate. The finding is generally indicated by the killing of a particularly fat turtle, fish or dugong, although a spirit may be brought in a dream by a patrilineal ancestor. All of Robert Cunningham Maniyan's children's spirits, for example, were found on Agalda territory.

In the course of mapping the Peninsula we have recorded over four hundred place names. The majority of these names were given by a
female ancestral figure, Warramurra-ngundji, but there are three kinds of places which are associated with other dreamings. There are dreaming places which are the metamorphosis of a particular ancestral being, not associated with any rites or prohibitions. There are dreaming places which are the focus of some beneficial rites, mainly to do with increasing food species. And there are dreaming places which are dangerous and should be avoided - these dangerous places. At a number of these dangerous places catastrophies have been caused. Below we list some of the main places of each type.

**SOME DREAMING SITES WITHOUT RITES**

**Maran sites:**

- Midniad - A crocodile dreaming reef site east of Guialong Point.

- Uraiyaďagaba - Star dreaming site north of Guialong Point.

**Ngaindjagar sites:**

- Buranganga - A lighting dreaming site on the east side of Port Bremer.

**Madjunbalma sites:**

- Banimadjindi - Turtle shell dreaming place near Stewart Point.

The geographical location of all these places, and their names, where not given, are known to us. All those on the north coast of the peninsula as far as Araru Point have been.
Baniyumbarba - A giant, Yumbarba sat at this point east of Black Point.

Wunabidj - An island off Curlew Point where Yumbarba was killed by soldiers from the Victoria settlement while lying asleep on his back. His bones used to be visible on the Island.

Agalda sites:
Yilaradjin - A dugong dreaming site on the west of Wurgurlu Bay.

Uriliwan - A dotered (and possibly black cockatoos) dreaming site on Burford Island.

Bulugunyamidj - Two snakes dreaming site. The two crossed from Alcaro Bay to Van Diemen Gulf and metamorphosed into sandbanks in the sea.

Murnumurnu Rock - A metamorphosed woman who came from Macassar and crossed the Peninsula from Knocker Bay into Shamrock Bay after being sternly spoken to by a small bird. This is not the correct name for the rock as the name of the rock is the name of the informant's WM and cannot be spoken by him.
SOME DREAMING SITES WITH BENEFICIAL RITES

Madjunbalmi site:  -  Greenback turtle dreaming site on the east side of Port Essington. By simply rubbing the rock, turtles can be made numerous.

Agalda sites:  -  Mud crab dreaming site in Trepang Bay. Three rocks stand in the water close to the shore. By scattering sand over them the mud crabs are encouraged to breed up.

-  Turtle dreaming place off Warldagawaji Island. By rubbing sea weed on this reef rock turtles are encouraged to breed up.

Agalda/Mundilari/ Madjunbalmi site:  -  At Araru Point is a dog dreaming site where the direction of the wind can be influenced by pushing one's foot through the sand in the direction from which one wishes the wind to come from.

SOME DREAMING SITES THAT ARE DANGEROUS

Muran sites:  -  Opposite Point David is a reef created by the lizard ancestor that lived with the rainbow serpent at Danger Point. If the area is disturbed sickness will emerge and the people to the east fall ill, provoking terrible revenge.
A rock cod dreaming site west of Irgul Point which must be avoided.

South of Giles Point lies a group of rocks just off the beach. These are the transformations of two bandicoot women and a bandicoot man trapped in the water by clams. The oysters on these rocks may not be eaten.

A cliff of bright yellow earth southeast of High Point can be used to make people very sick.

Near High Point a patch of monsoon forest contains a malign influence. The rock in the sea, associated with this site, marks the place where an old lady caught her foot in a clam, and was transformed. Weed now grows on the rock which senior clansmen may from time to time clean off to protect peoples' eyesight. A person pointing at the rock with extended forefinger may go blind, and everybody will become blind should the rock be damaged. (See Berndt 1970:24 who refers to this site).

Nyamadjagar sites:

A site on the west side of Raffles Bay is most dangerous and can cause damage to the genitals.
At Danger Point there is a rainbow serpent and a lizard inside the ground. If you dig too deep the serpent will emerge and make people sick.

Kudjumbalmi sites:

A lightning dreaming place on the east side of Port Essington is dangerous. Oysters must not be eaten from the surrounding rocks. The cave associated with the rock contains the bones of heroic ancestors and is a prohibited area.

A sandbank which becomes visible at low tide in Port Bremer is a location on which no fires may be lit, no matter how hungry returning fishermen are. Should fires be lit a malign influence will emerge and cause sickness to the east. Some fifty years ago this tabu was breached and people to the east were badly hit. They reciprocated by sending back leprosy to infect the people of the Peninsula.

Agalda sites:

Banyan trees at Cape Don and Two Hills Bay are sacred and dangerous. If these trees are cut down it will lead to a great flood. In the heroic past one such tree was cut down and a huge flood forced all the people to the tops of Mt. Bedwell and Mt. Roe. Today
people often refer to this as the Noah story. Interestingly Robinson (nd) in his notes for A.W. Howitt recorded this story and Earl (1846: 241 and 1842:141) noted that banyan trees were sacred to the people.

A stone in the mangroves south of the Cape Don landing strip can cause cyclones if damaged. Robert Cunningham Maniyan's father and grandfather used to wash the stone and keep the ground around it clear as part of the prevention of cyclones. Robert does not go near it now and sees it as his responsibility to keep others away from damaging it.

By placing a green twig from a certain species of tree in a particular section of the reef near Cape Don a cyclone can be caused.

It is interesting that this emphasis on dangerous places is also a feature of Croker Island places. No elaborate rites are associated with making either the increase or danger sites effective. The actions described here are sufficient. Responsibility for the proper use or non-use of the sites lies with the senior clanspeople.
ESTATES AND OWNERS

Below are listed the Claimants by clan. The coastal boundaries of each of the estates are marked on the map.

Muran

The Muran estate runs from beyond the eastern boundary of the Cobourg Wild Life Sanctuary along the north coast of the Peninsula to Gurmul on the west side of Raffles Bay including the two unnamed islands in the Bay. On the south coast of the Peninsula it runs west to Widiyini in Wangarlu Bay. Also included are Ngogout Island and the western portion of Endyalgout Island. The owners of this estate are:

Peter Namunur
Brian Jambigbi
Norma Nawilanggu
Phillip Ganbinyara
Ruth Marmubi
Steven Garnangu
June Malyngama
David Namirit
Solomon Arialban
Sam Najuratj
Khaki Marala
Nancy Manguraymmag

At least three members of this clan were born in the claim area.

Ngaindjagar

This estate lies between Port Bremer and Raffles Bay beginning at Gurmul in the east, on the north coast and running to Yalambitj south of Lizard Bay in the west. The estate includes Sandy
Island No. 2. The owners of this estate are:

Jack Brown Arkardbi
Elf. Brown Minjimingi
Alice Gowandjildjurru
Maureen Mindiyal
Albert Gulabagu
Alice Fejo
Ronnie Ngundirwuy

Madjumbalmi

The Madjumbalmi estate runs from Yalambitj in the east around Smith Point and around Port Essington to Garrwuy in Curlew Bay on the western side. It includes Sandy Island No. 1. On the southern coast of the Peninsula the estate runs from Wuldu in Wurgrulu Bay to Widinyini. The owners of this estate are:

Lily Davis Malyulgidj
Daisy Indjalaladj

Both women were born on the Cobourg Peninsula at camps of Jimmy Kapuu, a trepanger. Lily Davis Malyulgidj's son, Nelson Mulurin was born in Port Essington in Barrow Bay, and grew up there.

Agalda

The Agalda estate occupies the western end of the Peninsula and the adjacent Islands of Allaru, Murnumurnu, Burford, Greenhill, Warla, Mangondjung, Warldagawaji, Horse, Wunmiyi and the eastern portion of Endyalgout Island. On the Peninsula the estate runs from Adbanari River on the east side of Trepang Bay around to Wuldu on the south coast. The portion of land that was formerly Lim Fraga's estate from Garrwuy in Curlew Bay west along the
north coast to Adbanari in Trengang Bay is now jointly owned by Agalda and Madunbalmi. Owners of the Agalda estate are:

Robert Cunningham Maniyand
Hubert Cunningham Adjibindu
Charlie Cunningham Marbidja
Queenie Cunningham Mangandawu
Ronald Cunningham Dardar
Kathleen Cunningham Wanamangii
Dulcie-May Cunningham Namungainpa
Judy Ngayaringgama
Fenton Malangii
Judith Ngalwumii

Eight of the ten members of this clan were born on their own estate.

Mandilari

The Mandilari estate is the tip of Araru Point, between Blue Mud Bay and Trengang Bay, and the adjacent reef. Although this is not the main part of their estate, which lies on Croker Island, it is an area said to be owned by Mandilari for a long time.

Dick Malwagu
Jumbo Gungibara
Henry Namaladadi
Timothy Burruwadjii
Mick Barirurguujii
Hazel Mamiya
Henry Nawalanya
Daisy Nauwuliga
Andrew Mangadjuk
Timothy Milun
Ian Irrurrun
Mary Magulagi
Jessie Anayari
Christine Mandayanadj
Anthony Marinmuya
Anita Ngundung
Ilidjili
ATTACHMENT TO THE AREA

The most significant evidence for this has been presented in the discussion of the history of the area and the reluctance of the people to move away from the Peninsula despite government pressure to do so over 15 years. Its strength was evident to the Chief Welfare Officer in 1962 who, as has been mentioned above, stated: "It is difficult to explain on paper the attachment of these people to their tribal country ....". We are faced with the same difficulty.

Involvement with the area has been continuous since the people departed to Croker Island. During part of each dry season most of the able bodied Claimants spend some period living on the Peninsula and Khaki Marala and his wife live permanently in Mt. Norris Bay outside the claim area but spending considerable periods hunting and fishing within it.

The Muran estate is the most intensively used portion of the Peninsula by all the Claimants because it is nearest to Croker Island. During holidays, such as Easter and long weekends the Agalda and Muran clan members and their spouses regularly camp there and most weekends, when the conditions are right, the men hunt turtles and dig for their eggs along the coast and into Raffles Bay. There is also a considerable amount of fishing and collection of the more attractive fruits in season. From time to time when the seas are calm people visit Port Essington and in 1978 Robert Cunningham Maniyan took his whole family in his 18' dinghy to Cape Don because he had heard that the country was being damaged.

Continuous concern for the country has been expressed to the government in one way or another since the last of the Claimants
left the Peninsula. When Mr. Peter Nixon was Minister for the
Interior, he visited Croker Island and was handed the following
letter dated 7 September 1970:

"Dear Sir,

We don't want money. We want our land. We want this
island and the mainland in the north from Cape Don to
Oenpelli right down to Liverpool River, including this
island and also Goulburn Island. We don't want white
people to take it away from us.

Because white people take land away from us and use it
to make money from it, they clear away our Sacred Places
and destroy it. They make promises to us but in the end
we have nothing in return for our land. So all the people
of Croker Island, we had said No. We don't want our land
taken from us. Our Land means more to us. We have always
believed that it was given to us from our ancestors, if
our land is taken away from us what shall we do, all will
be lost, we won't have white people taking our land.

So please Sir, could you do something about it. We want
you to help us because we want our land, we want to keep
it like it is now for our children in the future to come,
they then shall make use of our land. That's all.

Signed by Village Council and all adult
Aboriginal residents of Croker Island."


The same year Jack Brown Arkardbi sought to take out a prospecting
authority over an area including the eastern portion of his own
clan estate and a substantial part of Muran country. Both the
letter to Mr. Nixon and this application were apparently
stimulated by applications from United Uranium for exploration licences over the same area and fear that sacred and significant places in the area would be damaged by people who were unknowledgeable. These fears were voiced to the Administration the previous year and had led to a joint Welfare Branch and Mission personnel patrol to identify sites that needed protection in the areas (see Waters 1972) for which applications for exploration licences were being made by non-Aboriginal companies. However not all the areas over which applications had been lodged were covered. The Welfare Branch was therefore requested to come out and peg further sites and record sacred areas. While most of the Claimants were reported as accepting that prospecting could go ahead if precautions were taken to protect places, Khaki Marala was not and voiced his concern in a letter to the Assistant Administrator, Welfare Division on 15th February 1972. These objections were passed on to the Director of Mines (McHenry 1972).

In April 1974 Robert Cunningham Maniyan approached a community worker, Mr. W.J. Ryan, and expressed a desire to return to live at Cape Don as soon as possible (see Morris nd). Among other concerns were reports that damage was being done to the country. In the letter from the Senior Officer at Croker Island to the Director, Department of Aboriginal Affairs, Darwin (see Grubb 1974) it was also reported that Mr. Cunningham Maniyan claimed that the "Government" asked them to go to Croker to live as it could not keep sending stores into Cape Don (sic).

In 1978 Alf Brown Minjimindi, his sister and her husband started preparing for the establishment of an outstation on Danger Point by cleaning out the well at the chosen location, lining it with a 44 gallon drum and preparing the main camping area. Illness has prevented the development of these plans at the moment.
While the Claimants fully recognise the importance of Victoria and Port Wellington to Europeans, there is a tendency on the part of some Europeans to forget that these settlements also have considerable importance for the Claimants. The oldest Claimants spoke with their relatives who had been alive when Victoria was still flourishing and the people have a number of stories about the settlement and what happened there. For instance Lily Davis Malyulgidj told SIL worker, Noreen Pym, the following short story:

"A long time ago, they lived at Victoria for a long time. I don't know about it of myself. I haven't got my father and grandfather, I wasn't born (then). I was born (and) I grew up. My grandfather was an old man when I was born. I saw my grandfather. Jack Davis was my grandfather, my father was Fred Davis (and) I'm Lily, Lily Davis the same as my father and grandfather. At that first time long ago they didn't know (about it). They didn't know about tobacco, they didn't know about the food. It was that white man's (non-meat) food that they were afraid of. This was at Port Essington, Victoria. The wild/bush/unsophisticated people came. They were staying there and they knew my grandfather. My grandfather said, 'It's good over there.' They eat food and they smoke tobacco and matches. That's what they do, yes. That grandfather of mine came swimming. He told me the story (about) long ago. (I'm telling it) so they knew everything - those white men (who) were there knew everything. They stayed there and the Aborigines stayed too. It was good so they stayed. My grandfather spoke about them. And they stayed there because it was good."
Lily also recounted how her grandfather was the man who was "captured" by the soldiers at Victoria and escaped by swimming off (see Spillett 1972:148). Her account of her grandfather's motivation was that he allowed himself to be caught and when he had seen all he wanted, he came away. Reference in a previous section has also been made to the incorporation of a killing of a giant by the settlement soldiers into the Claimants' mythology.
The numbers advantaged if the claim is granted are considerably greater than the number of Claimants. All clans grouped with the Claimant clans as "one country-men" and any people who have their mother in a Claimant clan will benefit directly. It can also be expected that the owners of areas on Croker Island, other than Mandilari, who have provided the Cobourg people with access to resources will be granted reciprocal rights if they request them. This could raise the number of people likely to benefit to over 150.
PLANS FOR THE AREA

Plans for the area should the Claimants receive title to it, are still being formulated in the light of proposals that have just been made by the Territory Parks and Wildlife Commission and that are about to be made by the Darwin branch of the National Trust. It would be premature therefore to outline plans at this stage. However the Claimants have made it clear that provided their title is recognised and certain conditions met they are happy for the Peninsula to remain a wildlife sanctuary. They also fully recognise the interest in and significance of Victoria and Port Wellington to Europeans and will build this into their plans when more information becomes available.
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AUTHORS

Nicolas Peterson Ph.D. is a senior lecturer in anthropology in the Department of Prehistory and Anthropology at the Australian National University.

Myrna Tonkinson Ph.D. is Research Coordinator for the Australian Institute of Aboriginal Studies.

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