

Wanggajarli Burugun We are coming home

Gwarinman Project

Nyamba Buru Yawuru 2019



*Mirdanya ngarrungunil jarrayirr
yangarragan jalbingan yangarraman
gangajunu gurlin yingarrjin jimbin jirrayirr
buru*

*we are bringing our old people home, we
will put them to rest in their country*

*It is important for our people to be back home for their soul to
rest in peace in their own country.*

*Jimmy Edgar
Chairperson
Yawuru Cultural Reference Group*

*Our elders tell us that we are not bringing them home. The
spirits of our ancestors are finding their way home.*

*Neil Carter
Repatriation officer
Kimberley Law and Culture Centre*

*To Yawuru people Gwarinman was a warrior, but to European
explorers he was a murderer unworthy of a proper home
burial. This project will tell the story of Gwarinman... to heal
and restore good liyan for the Yawuru people ... and allow
them to invest in the process of truth telling ... to reconcile the
traumatic colonial past of this nation.*

*Senator Patrick Dodson
Yawuru elder*

Table of Contents

EXECUTIVE SUMMARY	2
THE GWARINMAN PROJECT	4
First Encounters with Settlers (1864-1866): The Story of Gwarinman.....	6
The Pearlys Arrive: Blackbirding and Skin Diving (1880s-1900)	17
The Story of the 'People from Roebuck Bay' Held in the Ethnographic Collection of Saxony	17
The 'Bone Collectors'	27
OUR NEXT STEPS	31
Excerpt from <i>Return, reconcile and renew</i>	Appendix 1
Biography for Fiona Skyring.....	Appendix 2

EXECUTIVE SUMMARY

A total of 22 men, women and teenagers, whose remains were taken from Yawuru country in the late nineteenth and early twentieth centuries, have been scattered across the world. They are held in museum and university collections in London (England), in Dresden (Germany) and in Australia. Treated for over a century as 'objects', the remains of these people who were taken so far from Yawuru country need to come home and be buried with dignity.

The fate of the people whose stories are the centre of this project draws together several strands of the history of the colonial encounter. First, there was an initial attempt by colonial adventurers and pastoralists in 1864-65 to 'settle' on Yawuru country. Decisions to establish pastoral holdings in the Kimberley region were made at shareholder meetings in Perth. The would-be pastoralists arrived at Cape Villaret in October 1864 with strange livestock and horses and guns. From the outset, the nature of the intrusion was marked by

violence and many Aboriginal people were shot. Yawuru people and their Karajarri neighbours remember the horror of these killing times in their oral histories. Doris Edgar (dec), senior Yawuru-Karajarri elder, has recounted stories told by her grandmother of these first violent contacts when many of their tribal groups were indiscriminately killed by the explorers and settlers.

In the 1880s, the pearlers arrived in Roebuck Bay. Several colonial commentators and regulators condemned the pearling industry as brutal and regarded it as slavery based on the numerous reports of Aboriginal men and women being kidnapped and forced to dive for pearlshell. Documentary accounts show that captive divers were beaten and tortured while others drowned. Despite attempts by legislators in Perth to control the worst of the violent excesses of the pearlers, abuses continued. Even though pearling lugger owners were prohibited from having women on board the boats after 1871, the few regulators who sought to enforce the law were ineffective in the face of widespread collusion between pearlers, local magistrates and fisheries inspectors. The physical trauma etched on the bones of Yawuru remains currently held in German collections is testament to the brutal and bloody business of pearling during the early colonial incursions along the Kimberley coast. There were no documentary accounts of so many young Aboriginal men and women being killed and then buried but their remains tell this part of the story that has been left out of the archives.

Even after death, abuse and depravity continued. The Yawuru remains also provide insight into the horrific history of international trade in Aboriginal bones and the practice of 'bone collecting' by colonial gentlemen in Australia, fueled by the demands of collectors in England and Europe. It was a grisly trade conducted openly. In one account from 1909, explorer and adventurer Frank Hann told police that, 'Mr Brockman [Frederick Slade Drake-Brockman of the prominent Western Australian colonial family] asked me if I could get him a perfect skull of a blackfellow as he had promised a friend of his in London that he would try

and send him one for scientific purposes'.¹ Aboriginal remains were sold and traded and taken far from their country. We are now seeking to bring them home to rest.

WARNING

This report contains images of people who have passed away and images of Aboriginal human remains. It includes quotes from archival records and other documents from the nineteenth and twentieth centuries, and many of the terms used in these documents which refer to Aboriginal people are now regarded as offensive. These include terms such as 'niggers' and 'savages'. Throughout the text of this report, direct quotes from the historical record are shown in the text as indented paragraphs or within inverted commas. These terms are offensive today but they reflected the attitudes of the period in which they were written.

THE GWARINMAN PROJECT

Nyamba Buru Yawuru (NBY) has established the Gwarinman Project which involves the construction of a memorial and resting place within the Broome cemetery for those ancestors and countrymen who were taken from Yawuru country and the sharing of their stories so that the traumatic truth of the colonial encounter is (re)told from a Yawuru perspective. It is a very sensitive subject and one that has to be managed with upmost compassion and consideration for all persons involved.

A notable aspect of the Yawuru story relates to the skull of Gwarinman, currently held in the Natural History Museum of London, which tells the story of first contact in 1864 between Yawuru people and European settlers. What is unusual in this instance is that we have the name, and the place and date of his death which is verified in archival records. What is

¹ / 15 April 1909, statement by Frank Hann, in 'Chief Protector of Aborigines - paragraph...re encounter by Mr Frank Hann with natives, ...a Native's Skull', Cons 430; item 1909/1612, State Records Office of Western Australia (SROWA)

missing however, is a record of the removal of his skull and its transport to a collection in England.

The remains of at least eight people, and more, are currently held in the Ethnographic Collections of Saxony (Germany) and tell the gruesome story of when the first pearlers came into Yawuru country. Their remains reveal the trauma and cruelty of the free diving and blackbirding regime upon which the northwest pearling industry was based. While we appreciate that the removal of these remains by researchers, 'bone collectors' and other opportunists, was of a bygone era and no longer sanctioned by contemporary museums where these remains are held, the story of their initial removal must be told and redressed.

Together these remains tell the story of the first colonial encounters in Yawuru country. They speak of people who were physically abused and died early and unnatural deaths. They are a shocking and painful illustration of the story described in the records, and deepen our understanding of the horrors of the first encounters and the pearling trade that were not revealed in the records.

In our journey to tell these stories, we now have local, national and international support. With assistance from the Commonwealth Department of Communications and the Arts, tasked with managing the return of human remains, and the research now held in the *Respect, Reconcile, Renew* database and project, NBY is focused on locating all those Yawuru ancestors who have been taken from their traditional country, and who remain in museum and university collections around the world. Once located, we then need to verify our connections to them and this requires detailed oral and archival research to justify our assertions.

Locally we have the support of the Shire of Broome who have agreed to be a project partner in the development of the Gwarinman Memorial and Resting Place within the Broome cemetery (refer to Figure 1). It is here that we will inter our ancestors who were taken from

Yawuru country. Additionally, research from collection catalogues, archives and oral histories will be presented as interpretation and artworks in the Memorial site, so that we can share these stories with our community, visitors to Broome, and with the nation. NBY is planning to document this journey in film and subsequently develop an exhibition. Our aim is not to focus on the atrocities of the past, but to reconcile this history in a culturally respectful way, in the spirit of *mabu liyan* – creating wellbeing within the community. We are still at very early stages and are therefore seeking assistance to compile the background research necessary for all aspects of our project and to fund the return of our ancestors. In the first instance, we are seeking support to assist us to bring back the ‘people from Roebuck Bay’, currently held by the Ethnographic Collection of Saxony in Leipzig, Germany.



Figure 1: Draft design of the Gwarinman Memorial and Resting Place within the Broome Cemetery

First Encounters with Settlers (1864-1866):

The Story of Gwarinman

Yawuru people and their neighbours along the west Kimberley coast did not encounter any substantial intrusion into their country until the mid-1860s. The story of Gwarinman is part of this first encounter and some of the people whose remains are to be repatriated may also have been witness to this first, and very violent contact, with colonists. Gwarinman's details have been provided to NBY by the Return, Reconcile, Renew database (refer to Figure 2).

10	PHR326	Human Group: Sex: Maturity: Location: Personal name: Nature of Acquisition: Acquired from: Description: Associated: Original Collection: Notes:	Australian Aboriginal Male Adult Roebuck Bay, Western Australia, Australia (Lat/Long 18 S, 122 15' E) Gwarinman Presented Oxford University (see also Greenwell Collection) Cranium / Mandible / Dentition Oxford Collection Oxford AUS 60/1004 (‘Gwarinman, one of the murderers of Panter, Harding and Goldwyre. Roebuck Bay’. Written on cranium, in ink.)
----	--------	---	---

Figure 2: Record from the collection database of the Natural History Museum, London

On 11 October 1864, at a meeting of shareholders in Perth, a company called the Roebuck Bay Pastoral and Agricultural Association Limited was formed. A few weeks later, employees of the company accompanied by policemen and ex-convicts landed with livestock at Cape Villaret, towards the southern end of Yawuru country and near the boundary with Karajarri country (refer to Figure 3). Their intention was to establish sheep stations in the area. The main depot was located at Cape Villaret next to a jila (permanent water source) called Yardugarra. A number of out camps radiated from this site with the intention of taking up permanent leases as soon as they were available.

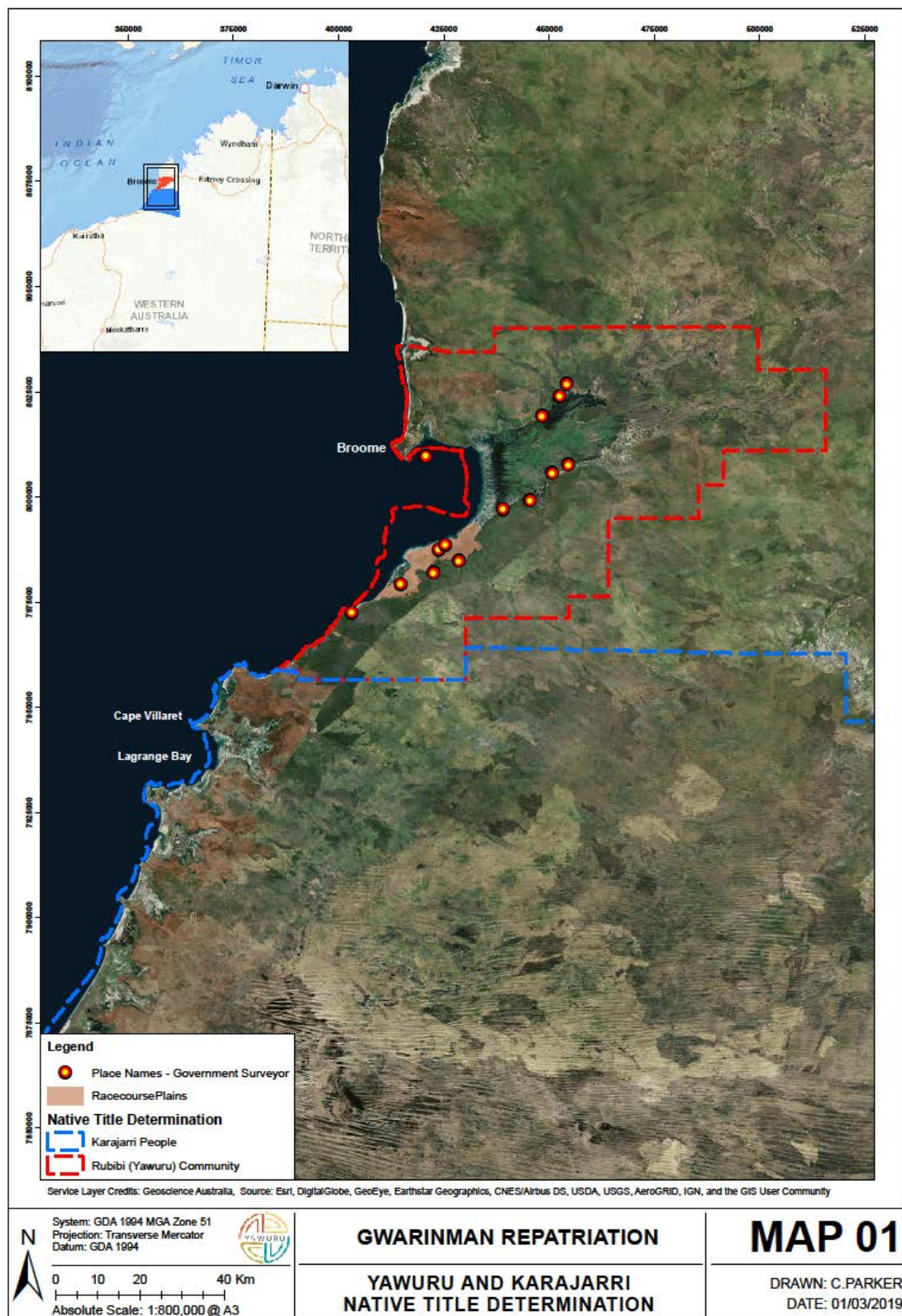


Figure 3: Map showing Yawuru and Karajarri country.

By November 1864, there were violent clashes with Yawuru men around the depot camp. The would-be settlers commandeered 'native wells' for their stock and built fences around them, preventing Yawuru people freely accessing their own water sources.²



Figure 4: Exploration map, 1864, produced by the Government Surveyor from the explorer's hand drawn maps

² / L.C. Burges, *The Pioneers of the Nor'-West Australia*, Constantine and Gardner, Geraldton, 1913, p 10. Burges wrote that he 'let' people come to get water so long as they lay down their weapons.

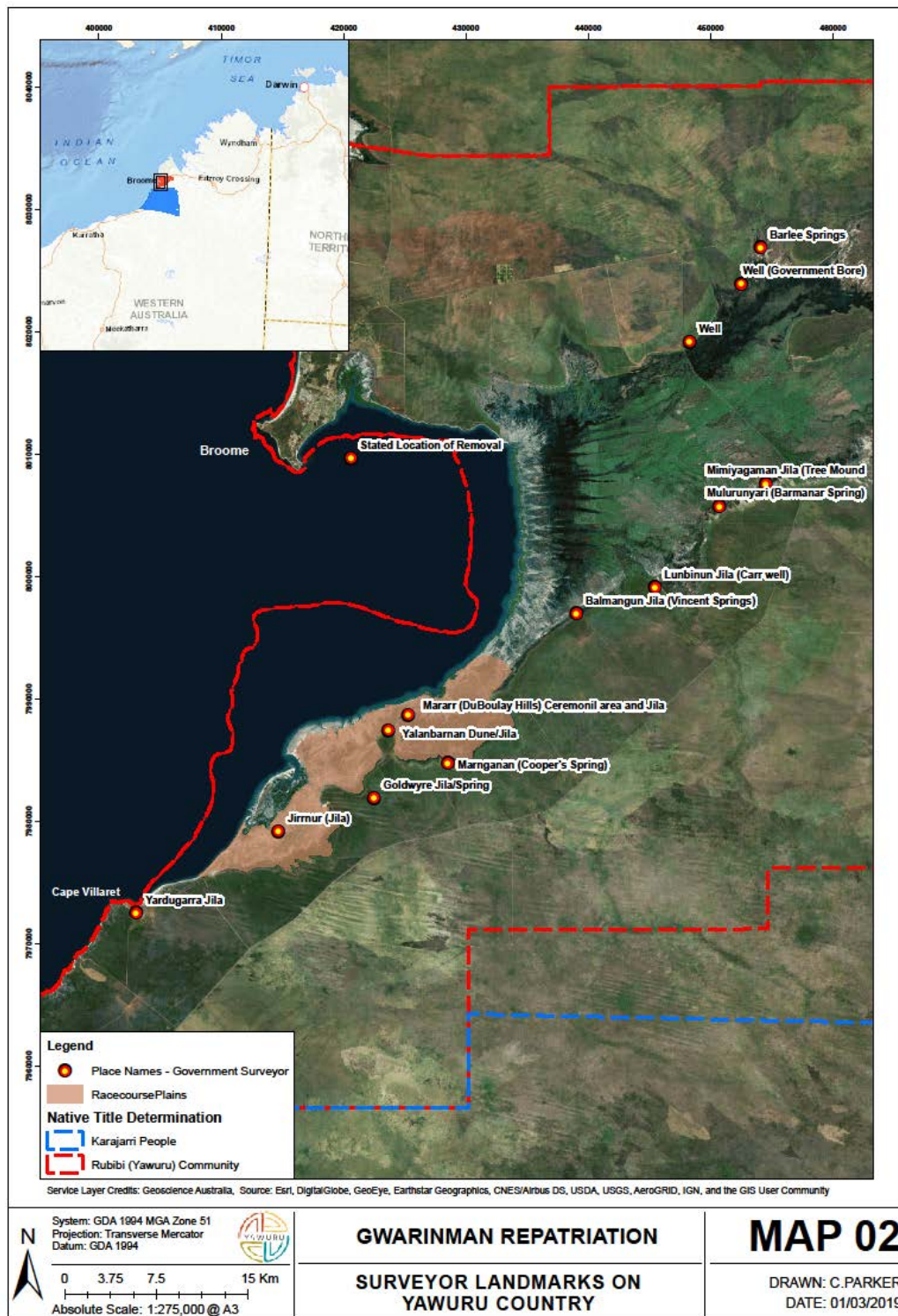


Figure 5: Map showing places referred to in the early records.



Figure 6: Elsie and Felix Edgar (now dec) at one of the wells on Yawuru country.

A few weeks after arriving at Cape Villaret, James Harding, Frederick Panter and William Goldwyer (not Goldwyre as inscribed on Gwarinman's skull) were sent south, into Karajarri country, in search of more grazing land.³ When the men failed to return, a search party was sent from Perth in February 1865, with policeman Maitland Brown in charge. When Brown's party arrived at the depot camp at Cape Villaret on 18 March, they were joined by station manager Lockier Clere Burges and police troopers Tovey and Williams. They already had an Aboriginal man called Dutchman Chum from the De Grey River as a prisoner. In a raid north east of the depot camp on 22 March, at a place the settlers called Racecourse Plains, Brown captured five Yawuru men (refer to Figures 4 and 5). The prisoners were chained to a tree.⁴ Brown wrote that they interrogated the Aboriginal prisoners on 23 March 1865, and that the Aboriginal men Dougale and Dutchman Chum acted as interpreters.

³ / F. Clune, 'The Battle of Roebuck Bay', *Short story magazine*, no. 38, 1947, p 62

⁴ / Entry for 22 March 1865, D. Francisco, *The Panter-Harding-Goldwyer relief expedition of 1865 : being a copy of a diary kept by one of the members of the expedition led by Mr. Maitland Brown to the Roebuck Bay District in search of Messrs Panter, Harding and Goldwyer, whose murdered bodies were found at their camp on Lake Ingedana, 1865*, typescript held at State Library of Western Australia (SLWA)

From these interrogations Brown concluded that,

a number of natives belonging to the Racecourse Plains assisted in the murder. They state that these went down to Lagrange Bay to a corroboree and have not since returned; that during the corroboree Harding, Panter, and Goldwyer passed, and that all the natives immediately left their festivities and followed them to Boola-Boola [Injidana], where they killed them. A great many natives, amounting to about fifty were named by them as being murderers.⁵

Young adventurer David Francisco, who was present and kept a dairy of events, wrote that the Yawuru prisoners were 'very anxious to be set at liberty, but we have them still chained to trees'.⁶ By 28 March 1865, as they travelled south through Yawuru country towards Cape LaTouche Treville, Maitland Brown and his party had captured up to 12 Yawuru men who were either held on board the ship, or imprisoned on land.⁷ They continued to capture Aboriginal men, and by the time they were close to La Grange Bay, there were 21 Aboriginal prisoners on board the ship.⁸

On 4 April 1865, the search party found the bodies of the missing men at Boola Boola, or Lake Ingedana as it was called in the records, not far from La Grange Bay in Karajarri country. One of the dead men, Panter, described in his journal the threats from Aboriginal warriors on 13 November 1864.⁹ That night the white men were speared, probably while they slept, and their heads were smashed in. Whether they were killed by the Yawuru warriors who had come from the Racecourse Plains, or by a combination of Karajarri and Yawuru men working together against the intruders is not revealed in the records.

The written accounts from the time indicated that the Aboriginal prisoners held by the colonists were mostly from Yawuru country. Maitland Brown accused all local Aboriginal men as culpable for the murders, and claimed the guilty amounted to 'about fifty men'.¹⁰

⁵ / Entry for 23 March 1865, 'Journal of an Expedition in the Roebuck Bay District Under the Command of Maitland Brown, Esq., in Search of Messrs. Panter, Harding and Goldwyer', Perth: Reprinted from the *Perth Gazette and W.A. Times*, Friday 26 May 1865, p 2

⁶ / D. Francisco diary entry for 23 March 1865

⁷ / D. Francisco, diary entry 28 March 1865

⁸ / L.C. Burges, *The Pioneers of the Nor'-West Australia*, p 19

⁹ / Maitland Brown journal entry for 4 April 1865, *Perth Gazette and W.A. Times*, Friday 26 May 1865, p 2

¹⁰ / Above n 5

David Francisco wrote that after they had discovered the bodies of the three men at Lake Ingedana, two of the Aboriginal prisoners sought to escape, and both were shot.¹¹ Francisco claimed that one of the mortally wounded men confessed 'his guilt with his last breath', and according to Brown, the dying man said that he and his countryman were the murderers.¹²

In 1865, after the bodies of Panter, Harding and Goldwyer were found, the violence between settlers and Yawuru intensified. The accounts from the search party led by policeman Maitland Brown who travelled through Yawuru and Karajarri country described how the male prisoners were tied up and chained to prevent them from escaping, and some were beaten. Maitland Brown recounted that a man called Karimba tried to encourage the other prisoners to escape. Brown wrote how Trooper Williams 'dealt ... Karimba, a severe blow on the head with his gun-barrel, and shot one of their dogs in front of them to show its power'.¹³ Karimba was then chained to Brown's pack saddle in an effort to force him to reveal the location of the bodies of Panter, Harding and Goldwyer.

The search party returned to the depot camp at Cape Villaret, with the Yawuru prisoners being transported by ship and the rest of the expedition going overland. Joseph Logue, as Justice of the Peace, was the government representative at Cape Villaret and on 9 April 1865 he recorded the names of the prisoners on board the ship, having questioned them through two unnamed interpreters. The accuracy of the language interpreters was possibly doubtful, as Traditional Owners in the west Kimberley had no sustained contact with English speakers before this time. Maitland Brown wrote that Logue examined the prisoners 'on the charge of murder'.¹⁴ Logue recorded in his diary the names of ten of the Yawuru prisoners. Among those questioned was a man he called Gharinmau/ Gharinman (the handwriting is not clear) whom Logue claimed 'confessed' to being one of the murderers who 'smashed in the heads' of Panter, Harding and Goldwyer. The inscription on Gwarinman's skull indicated that this was him. A few days later, on 11 April, both Logue and Francisco recorded that one

¹¹ / D. Francisco, diary entry 5 April 1864

¹² / Maitland Brown journal entry for 5 April 1865, *Perth Gazette and W.A. Times*, Friday 26 May 1865, p 2

¹³ / Maitland Brown journal entry for 28 March 1865, *Perth Gazette and W.A. Times*, Friday 26 May 1865, p 2

¹⁴ / Maitland Brown journal, *Perth Gazette and W.A. Times*, Friday 26 May 1865, p 2

of the prisoners on the ship had drowned in an attempt to escape and his body washed up on the beach. This was probably Gwarinman. At some later stage, Gwarinman's head was separated from his body, his skull inscribed and with his name and accusation, and taken thousands of kilometres from his country.

Based on the written accounts from Francisco, Brown, Burges and Logue, there were regular conflicts with armed Aboriginal warriors, and in one such incident near Cape La Touche Treville on 6 April 1865, Maitland Brown and his expedition were returning to Cape Villaret and were ambushed by Aboriginal warriors. Six of the Aboriginal warriors were shot dead and twelve seriously wounded. In the battles between white men on horseback with guns, and Aboriginal warriors with spears and clubs, Aboriginal casualties were always much higher than those of the armed colonists. Some of the white men wrote about it like it was sport. Lockier C. Burges recounted that during the fight on 6 April, he could see his friend Maitland Brown in close combat with an Aboriginal warrior, and since Burges had his gun loaded he shouted out, 'Shall I finish him off for you Maitland?' Brown replied 'No, do you think that I am not able to polish off a blackfellow?' But the Aboriginal warrior had already been shot in the stomach, and died while he was wrestling with Brown.¹⁵

In a further documentary account, police at Cape Villaret shot Aboriginal people in retaliation for the theft of sheep.¹⁶ A place the settlers called the Racecourse Plains, the open grassed area on Yawuru country on the southern shore of Roebuck Bay, was the scene of at least one fatal conflict between Yawuru and the intruders. Joseph Logue JP, wrote that on 17 April 1865, when he and the police troopers found a group of Aboriginal people with the allegedly stolen sheep, the troopers shot at them,

but did not succeed in taking any alive as the natives either ran away or resisted which left but one course for the police to pursue as I was present and saw the whole of the affair I can vouch for the truth of it, notwithstanding anything that may be said to the contrary...¹⁷

¹⁵ / L.C. Burges, *The Pioneers of the Nor'-West Australia*, p 24

¹⁶ / J. Logue, *Papers 1857-1865*, MN 1333 Acc 4172A, SLWA, diary entry for 17 April 1865

¹⁷ / Ibid., diary entry 17 April 1865

Logue's apparent defensiveness about the policemen's shooting of Yawuru people was possibly because he knew it was totally illegal. It was slaughter. Alec McRae visited the Roebuck Bay depot camp in August 1865. The overseer had left, and McRae wrote that,

the niggers are a savage determined race of people the worst that have been met with on this side of the continent. They murdered Mr Harding the manager here and two of the police force. A good many have been shot but it does not seem to have the desired effect, as they still continue to be troublesome, killing sheep and frightening shepherds, there is one blessing they are very badly armed, their principal weapon being a club which they can only use at close quarters.¹⁸

These few written accounts of the period from mid to late 1865, after the police party returned to Perth with the remains of the murdered white men, described how the settlers shot Aboriginal people indiscriminately. Yawuru and Karajarri people remember it as a time of mass shooting of men, women and children by the settlers. In oral histories it is called 'the killing times'.

Despite the widespread violence, the first attempt to establish a pastoral venture failed and the depot camp at Cape Villaret was abandoned in 1866. The directors of the Roebuck Bay Pastoral Association claimed that the remoteness and expense of the venture were the main reasons for wanting to move their operations further south.¹⁹ A report from the Superintendent of Police to the Colonial Secretary in September 1865 suggested that the attacks by Aboriginal people were a factor in the eventual abandonment of the station. The Superintendent wrote of the 'Natives from Roebuck Bay', whom he referred to as 'these unfortunate savages':

They see some few Europeans in their territory and trusting to their numbers and bravery they will not cease their [?] to exterminate all the Europeans there - or drive them from their country until their own numbers are so fearfully thinned as to make them fly with dread at the very sight of a white man...²⁰

¹⁸ / 14 August 1865 from Alec McRae at Roebuck Bay to his father at Warrnambool, Vic, 396A/ Item 20, in *Correspondence, 1865-1884 [manuscript] McRae family. 1865-1884*, MN 2482, SLWA

¹⁹ / *Perth Gazette and W.A. Times*, 31 August 1866.

²⁰ / Superintendent of Police to the Colonial Secretary, 'Suggestions for civilising natives at Roebuck Bay', 15 September 1865, Acc 36 CSO 550; Item 17002 folios 6-8, SROWA

Gwarinman's skull became part of the William Greenwell Collection²¹ that was held in the Oxford University Museum, before being transferred to the Natural History Museum of London. The provenance records are unusual in that they include his name and where he was from - Roebuck Bay. The cardinal points referring to where he was taken were located in the middle of Roebuck Bay, which suggests the area he was from, rather than the exact location of his death. In 2018, through a search in the *Return, Reconcile, Renew* database, Gwarinman's record was found, and NBY is now in the process of seeking his return to country from the Natural History Museum, to be celebrated as a Yawuru warrior who died following his Law, and defending his country and kin.

Also in the Natural History Museum collection lies the remains of a woman taken from the west Kimberley coast 'near Broome'. The woman's body was treated with such disrespect by those who owned her remains that only fragments of her skeleton have survived.

						Near Broome,
	Royal College of			Hair /		west coast of
	Surgeons of			Postcranial Axial		Dampier Land,
	England (see also			/ Postcranial		Kimberley Div.,
	FC1083.2.)			Pectoral /		Western
	Royal College of			Postcranial Arm		Australia, Purchased,
	Surgeons 20.1302	female	C 40 yrs	/ Postcranial Leg		source
PHR355					Australia	unknown.

We know very little about this woman, whose partial remains were taken far from her traditional country and who was treated as a medical specimen, without permission, by the doctors of the Royal College of Surgeons. We are also seeking her return and interment in the Gwarinman Memorial and Resting Place. will be a resting place

²¹ / William Greenwell was a canon at Durham Cathedral from 1854 to his death, and as an amateur archaeologist, involved in excavating remains and was a member of the Society of Antiquaries of London which was dedicated to the 'the encouragement, advancement and furtherance of the study and knowledge of the antiquities and history of this and other countries'.^[3] One of his students was the ethnologist and archaeologist Augustus Pitt Rivers, whose international collection of about 22,000 objects was the founding collection of the Pitt Rivers Museum at Oxford University.

The Pearlers Arrive: Blackbirding and Skin Diving (1880s – 1900)

The Story of the ‘People from Roebuck Bay’ Held in the Ethnographic Collection of Saxony

There is a collection of seven people and partial remains of another six to ten others currently held in three institutions in Saxony (Germany): at Dresden, Leipzig and Harnhut museums. They were sold to a museum in Dresden in the late 19th century by people involved in the trade in human remains, one of whom was a well-known Broome pearler. After purchase, most of the remains were put on display. The curator of the Australian collection, Dr. Birgit Scheps-Bretschneider, has been responsible for what she describes as ‘rehumanising’ the collection so that they could be treated legally and morally as people rather than objects. In her effort to learn who these people are and what happened to them she has commissioned forensic and coronial reports.²² The results of this analysis and the description of the human remains is in the table below, copied from her 2019 report ‘The Old People of Roebuck Bay, Broome’.²³ Dr. Scheps-Bretschneider has also now commenced the process of repatriation from Germany to Australia, sending all their remains held in the Leipzig, Harnhut and Dresden Museums to the locations of their origins.

Individually and collectively, these remains irrefutably expose the truth of the brutal treatment of aboriginal ‘skin’ divers by the early pearlers. We will never know who these people were, or exactly where they came from, but they shared the fate of the Aboriginal divers who were allegedly employed, but in fact kidnapped and forced, by pearlers to dive for shell in inhuman conditions. The story of their bones echo the records in the archives that attest to this violent treatment, and to the pearlers’ total disregard for the laws of the colony in pursuit of their own profits. The scars of cracks in the skull, evidence of otitis, malnutrition and broken legs, and the evidence of trauma in these men, women and young

²²/ Dr. B. Scheps-Bretschneider, *Old People of Roebuck Bay, Broome, State Ethnographic Collections of Saxony, Anthropological Collection in the Museum für Völkerkunde Dresden*, unpublished report, 2019

²³/ Ibid.

teenagers, some of whom were girls, suggested that they were made to work for the pearlers and were physically abused. In death they were further disrespected as their bodies were dug up, or stripped, for European collectors and scientists.



Figure 7: Human remains numbered, from Dr. B. Scheps-Bretschneider, Old People of Roebuck Bay, Broome, unpublished report, 2019

Figure 8: Human remains showing signs of mounting from Dr. B. Scheps-Bretschneider, Old People of Roebuck Bay, Broome, unpublished report, 2019



NR	INVENTORY	AGE	SEX	PATHOLOGY	SIGNS OF GROUND DEPOSITION	TRAUMA	OTHER
Summary: Of the skeletons with the corresponding inventory numbers of 2817, 2862, and 2829, the cause of the dorsal cranial lesions is likely from blunt trauma. Skeletons 2826 and 2829 have healed cavity or lamellar fractures in the skull cap. Skeleton 2817 shows signs of sharp force to the head. ²⁴							
2817	Skull (nearly complete)	Adult (young)	Indifferent; male tendency	otitis (r), potential infection at foramen magnum	Yes	Healed sharp trauma (left parietal)	Signs of mounting
2826	Skeleton with skull (nearly complete)	Juvenile (15-16 years)	Unreliable in juveniles; female tendency	None	No	Healed blunt trauma of frontal	Pencil markings indicating measurements; signs of mounting
2827	Skeleton with skull (nearly complete)	Adult (young; mid/late 20s)	Indifferent; male tendency	Increased vascularization at sites of trauma (healing)	Yes	Healed trauma of right parietal; peri-mortal sharp trauma of left parietal	Pencil markings indicating measurements; signs of mounting
2828	Skeleton with skull (nearly complete) additionally: several arm and hand bones belonging to at least two more individuals; inventoried as 2828A-F	Adult (medium; 30s/early 40s)	Male	Chronic infectious disease (unclear diagnosis)	Yes	None	Signs of mounting; previous repairs
2829	Skeleton with skull (nearly complete)	Juvenile (15-18 years)	Unreliable in juveniles; female tendency	Otitis (l/r); Hypoplasia of incisors, suggesting 2 times of stress before the age of 6	Yes; green discoloration of hip joint	Healed trauma of frontal	Pencil markings indicating measurements; signs of mounting
2830	Skeleton with skull (nearly complete) additionally: 2	Juvenile (15-17 years)	Unreliable in juveniles; Indifferent	Hypoplasia of incisors, suggesting 2 times of stress before the age	No	None	Pencil markings indicating measurements; signs of

	<i>cervical vertebrae (C2/C3) belonging to a different individual; inventoried as 2830A</i>			<i>of 6</i>			<i>mounting</i>
2831	<i>Skeleton with skull (nearly complete)</i>	<i>Adult (medium; 30s to 40s)</i>	<i>Male</i>	<i>Bad dental health (ante-mortem tooth loss, widespread caries, root infections; stomatitis); Hypoplasia of incisors (suggesting at least 2 times of stress before the age of 6); Tibial bowing (unclear cause)</i>	<i>Yes; green discoloration of parietal suggests ground deposition</i>	<i>None</i>	<i>Pencil markings indicating measurements</i>

After the failure of the Roebuck Bay settlement in 1866, the next contact Yawuru had with Europeans was when pearlers from Cossack and Roebourne came to exploit the rich pearling beds of the west Kimberley coastline and King Sound. Although the date of the first excursions by pearlers is unclear, by 1883 there was a lugger jetty that had been built near the mouth of Dampier Creek in Roebuck Bay, and established pearling camps along the edge of Dampier Creek and Roebuck Bay in an area that would become the township of Broome, gazetted in 1883. In the Kimberley the pearling masters applied the same methods they had used in the North West in the 1860s, which were to kidnap Aboriginal people and force them to dive for pearlshell without any diving suits or breathing apparatus. It was called 'skin diving'. On the North West coast and later along the Kimberley coast, the work was dangerous for Aboriginal divers and crew. Initially both men and women were taken onto the luggers and forced to dive for pearlshell, and they were beaten and starved if they refused to work or tried to escape. Bishop Gibney reported how men's fingers were

²⁴ / Report 'Forensic Osteological Evaluation'_by Dr. med. Ulrike Böhm, Specialist for forensic medicine, February 2, 2019

crushed by the pearling masters who smashed them with an oar when the divers tried to hang on to the side of the boat. There were also reports of pregnant Aboriginal women being forced to dive, and Aboriginal women and girls were kidnapped and forced to work as prostitutes for the lugger crews.²⁵ Corruption amongst local officials and pearlers meant that even the minimal legislative controls over working conditions in the pearling industry were not enforced. Historian John Bailey argued that the era of so called 'skin diving' which lasted into the late 1880s, was 'to prove one of the most brutal and bloody businesses in Australia's history'.²⁶

Evidence of kidnap by the pearlers was collected in the Kimberley in 1883 by the first police force sent from Perth. In September 1883, Lieutenant Corporal Payne, who was based at the first police camp at King Sound near where Derby was later established, spoke with several Aboriginal men from the Fitzroy and Yeeda Rivers who had been captured by pearlers and chained, then taken to the luggers and forced to dive.²⁷ Pearling masters Alfred Mayall and Henry Hunter were named as among the kidnappers. A man called Bung-arro-keh told Corporal Payne that pearlers W. Bryan, E. Wilson and other whites had five Aboriginal men chained together, and they were taken to Beagle Bay and from there to the Lacepede Islands, where they were forced to stay and wait for luggers to take them diving. Payne reported,

The Natives state that they do not like Pearling because the whites treat them so badly, they state that when diving they get nothing to eat but damper and water to drink (no tea or sugar) except when they stop at any Islands, they then catch some turtle. The Natives at Beagle Bay informed P C [Police Constable] Lemmon that a great many strange Natives were taken this season from the Peninsula and in many instances were in chains. There is a man named Kelly in charge of the Lacepede Islands who is no doubt aiding the Pearlers in their kidnapping and not making the fact of the Natives being on the Island public.²⁸

²⁵ / J. Bailey, *The White Divers of Broome: The true story of a fatal experiment*, Pan Macmillan Australia, Sydney, 2001, pp 25-28.

²⁶ / *Ibid.*, p 22.

²⁷ / 15 September 1883 report by L C Payne, 'Detailed Police reports from stations in the Kimberley district', Cons 129, item 1883/0856, SROWA

²⁸ / *Ibid.*

Police Constable Lemmon was told by local settler Clifford that although Kelly was on a small salary, 'Oh he gets some good presents from the Pearlers'.²⁹

Pastoralist George McRae, on the North West coast at Ashburton River, wrote in 1881 that at his station he had 'a good deal of company in the way of fellows hunting up their Niggers for pearling'.³⁰ George's brothers John [Jack] and Duncan McRae were among the first pearlers to take their luggers to Roebuck Bay, and in October 1881 Jack was 'getting his natives together he is going out in the *Amy* this year'.³¹ In January 1882, Duncan wrote that,

Jack and myself with a couple of other boats have been away east of Cossack shelling so far this season we struck a fine patch of shells at Roebuck Bay and have done a rare stroke. I have about 39 tons of shells on the *Dawn* and Jack has also done very well on board his boat. So we stand the chance of making a very good season ...³²

In 1871, the *Pearl Shell Fisheries Act* imposed conditions on the employment of Aboriginal men whereby they would be returned to their country at the expiry of the contract with the pearler, and could only sign the contract in the presence of a Justice of the Peace. The Act also prohibited women being employed as divers.³³ The aim of the legislation was to stop sexual abuse of Aboriginal women by the pearlers and their crew, and to prevent Aboriginal men being forced to join the pearling luggers against their will. But for men who often did not speak English, and who were coerced into signing their mark on a written contract they did not understand, the legislation was ineffective in preventing abuses. The lists of employment permits granted by the Government Resident in Roebourne in 1883 showed that significant numbers of Aboriginal men from La Grange Bay, Beagle Bay, Swan Point and Roebuck Bay were under contract. Pearling partners called Ellery had permits to employ twenty men from Roebuck Bay, some of whom were indentured to them for a whole year

²⁹ / Ibid.

³⁰ / 16th November 1881 from George McRae in Ashburton to his sister, 286A/7, in *Correspondence, 1865-1884 [manuscript] McRae family. 1865-1884*, MN 2482, SLWA

³¹ / 17 October 1881 from George McRae at Ashburton to his sister Laura, ACC 286A/6, MN 2482, SLWA

³² / 14 January 1882 from Duncan on the schooner *Dawn* to his sister Laura, ACC 287A/16, MN 2482, SLWA

³³ / M.A. Bain, *Full Fathom Five*, Artlook Books, Perth, 1982, p 22

and others for the months between October and April.³⁴ Whether or not these men were coerced into joining the lugger crews is difficult to tell from the written records, although the police reports from 1883 quoted above indicated that all of the Aboriginal divers recorded by Corporal Payne were kidnapped. George McRae's reference to 'hunting up' their divers also indicated that Aboriginal men did not go willingly with the pearlers.

The remains of some of the people included in the table above showed signs of otitis in their ears, which is an inflammation of the ear canal. It is an injury common among divers. In a report from Pemberton Walcott to the Colonial Secretary in 1878, after Walcott's visit to the Lacepede Islands off the Dampier Peninsula, he stated that the excessive work Aboriginal divers were forced to do amounted to cruelty. Walcott reported that they were made to dive for on average ten hours per day and that,

Natives were only allowed to get out of the water into the boat during diving hours, once or twice a day for short intervals, the custom being for them to dive and hand the shell onto the boat and after a few minutes rest in the water, repeat the operation.... There is no limit whatever with regard to depth of water ... it is a common thing for natives to be dived in water from 8 to 9 fathoms or 40 to 50 feet - and from personal observation I can testify to the exhaustive and injurious effects of this deep diving.³⁵



Figure 9: Signs of early otitis (anterior to the left, superior to the top), from Dr. B. Scheps-Bretschneider, Old People of Roebuck Bay, Broome, unpublished report, 2019

³⁴ / 31 December 1883, 'Register of Natives' Agreements under the Pearl Shell Fishery Act for 3 Quarters of the year ending 31 December 1883. EH Lawrence, Government Resident, Roebourne', Acc 527, Item 1409/1884, SROWA

³⁵ / 13 July 1878, Pemberton Walcott to the Colonial Secretary, Perth, 'Report of Pearling', Acc 527, Item 235, SROWA

The people whose remains showed signs of otitis were probably pearl divers who were made to work under conditions which damaged their ears. In addition to these injuries, many showed signs of suffering head trauma. Further analysis by Dr Scheps-Bretschneider of the remains of one of the teenagers, possibly a girl, showed that she had her skull broken. All of these people died unnatural and premature deaths, and their bones showed evidence of the brutal treatment they suffered. Possibly this was treatment they suffered at the hands of the lugger captains and the pearling 'masters'. In 1883, an Aboriginal man called Dabernabal alias Charley from the Yeeda River told Lieutenant Corporal Payne that pearler Henry Hunter beat an Aboriginal diver with a rope while he was in the water, and the man then drowned.³⁶ In February 1887, police troopers Farrell and Armitage were on patrol in Roebuck Bay and reported,

Saw the Schooner Venture with 9 luggers at work shelling with diving dresses also the Schooner *Dawn* [skipped by McRae] shelling with native divers in the Bay... Also heard ... the many complaints from the natives as to [their] ill-treatment by some of the Europeans but could [not] get to know possibly who they were except the man from Eatch ?? who has a very bad name amongst the natives.³⁷

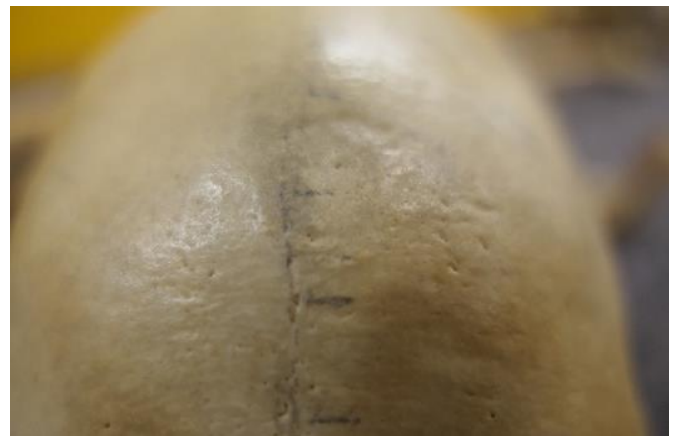


Figure 10: Healed trauma of frontal bone. Superior view at left, anterior at right, from Dr. B. Scheps- Bretschneider, *Old People of Roebuck Bay*, Broome, unpublished report, 2019

³⁶/ 15 September 1883 report by L C Payne, 'Detailed Police reports from stations in the Kimberley district', Cons 129, item 1883/0856, SROWA

³⁷ / 'Patrol By troopers Farrell and Armitage - Roebuck Bay', Entry for 21 February 1887, Acc 430, item 1887/0600, SROWA

In 1886, pearler and pastoralist John McRae was charged with kidnapping Aboriginal people and forcing them to dive on board his schooner, *Dawn*, and his captain John Wells was charged with beating a man to death on board the *Dawn* when they were diving for pearls in Roebuck Bay. In evidence presented at the trial, Jackey alias Angergoora testified that McRae was his 'master', and that

I was beaten in the dinghy and then came on the *Dawn* and put up in the rigging. I get beaten if I do not get shells. I get put up in the rigging and get nothing to eat or drink. I swam ashore because I did not want to go diving.³⁸

Two other Aboriginal witnesses at the trial described the beatings and punishments they received on board the *Dawn*. Captain Mayne, as a Fisheries Inspector, was supposed to protect the Aboriginal divers and ensure they were treated according to the law, but he never intervened. Nobby alias Charkaro said he was 'put up in the rigging last year for not getting enough shells at Roebuck Bay'. Billy alias Bangorra said,

I did go out diving with Jack McRae last year. He is not a good master. We did not get enough to eat, only a little bit. I was beaten by the Chinaman and I was beaten by John McRae with a rope. I was at George McRae's station when Jack McRae got me ... I did not complaint to Captain Mayne because I was afraid of him. Captain Mayne never spoke to me first and I did not like to speak to him. Captain Mayne was present and saw Jack McRae give me a hiding all day. Captain Mayne saw it on several occasions. Captain Mayne has never beaten me himself. I was many times sent up rigging. I used to get a hiding and then sent up the rigging. ...[That] was the usual punishment on board the *Dawn* for not getting enough shell.

We never got enough to eat, only a little. We were kept without water up in the rigging. We were kept up for some hours. Captain Mayne saw us up in the rigging on several occasions.

On one occasion, a native had a hiding and died from the effects of that hiding. He was beaten one afternoon and died after supper the same night. His name was Charlie. Jack Wells was the man who beat him on board the *Dawn*. John McRae was on board the *Amy*. Duncan McRae was in command of the *Dawn* at the time.³⁹

³⁸ / 3 November 1886 report from Government Resident Angelo to Colonial Secretary, 'Government Resident Roebourne - Case of Three Natives versus John McRae', Cons 675, item 1886/4778, SROWA

³⁹ / 3 November 1886 report from Government Resident Angelo to Colonial Secretary

A report on the trial by the Government Resident at Roebourne, Captain Edward Angelo, highlighted the corruption that was rife in the pearling industry, even though there was legislation supposed to regulate it. Local Justices of the Peace—Sholl, Percy and Edgar—wanted the charges against John McCrae dismissed. There were only two lawyers in the district, one of whom was on a retainer from John McCrae. The only other lawyer available for the plaintiffs in the case—the Aboriginal men who accused McCrae of kidnap and his captain John Wells of murder—was in Angelo’s opinion a habitual drunk.⁴⁰ Angelo reported that he effectively ‘sold’ the case to McCrae, and that,

This conduct of the prosecution was simply disgraceful and I see no chance of the natives getting justice unless the case is taken into a higher court which course I recommend.⁴¹

Captain Mayne, the Inspector of Fisheries, claimed in his evidence at the trial that he had ‘never seen any ill treatment of natives’, and that when he witnessed the employment contract signing Aboriginal divers for McCrae’s lugger *Dawn*, Mayne said that they seemed ‘happy and contented’.⁴² It is likely that one of the reasons Percy JP wanted the case dismissed was that he had been with Captain Mayne on the lugger *Dawn* when he supposedly ‘signed’ the Aboriginal men to work for McCrae. Angelo argued in his report to the Colonial Secretary that if the case was allowed to drop such action would ‘endanger the lives and liberties of Her Majesty’s Aboriginal subjects’. But McCrae and the Roebourne JPs had greater influence than Angelo, and McCrae and his employee John Wells were not convicted. The beatings and murder of Aboriginal divers went unpunished, and Duncan and John McCrae continued their pearling operations.

⁴⁰/ Ibid.

⁴¹/ Ibid.

⁴²/ Ibid.



Figure 11: Lower legs, showing the bending and deformation of the left tibia and fibula (proximal to the top), from Dr. B. Scheps- Bretschneider, Old People of Roebuck Bay, Broome, unpublished report, 2019

The remains from the Ethnographic Collection of Saxony were collected in the late 1880s and early 1890s. All reveal evidence of trauma. One man has broken legs suggest that his wound healed with weight on it. This story aligns with the archival evidence of divers being punished and tied to the mast without food and water. Collectively they evince a regime of sustained brutality and torture by the pearlers. With these stories etched in their bones, it is now our cultural responsibility to bring them home with dignity and respect for their sufferings.

The 'Bone Collectors'

Like Gwarinman, the people listed in the table above were not only physically abused during their lifetime but were further abused in death. The bones of the bodies taken from Yawuru country and sold in 1894 to the museum in Germany, most by a prominent Broome pearler and pastoralist, also tell a story of the trade in human remains, of which so many Indigenous Australians were victims. As described in the Executive Summary to this report, respectable colonists such as Frederick Drake-Brockman asked Frank Hann to 'get him a perfect skull of a blackfellow' so he could send it to a friend in London.

This trade in Aboriginal remains happened in the context of the development of theories of human evolution. As Dr Scheps-Bretschneider wrote,

In the second half of the nineteenth century, scientific research in both anatomy and ethnology became heavily involved in discussions on evolution. Different forms of culture around the world would be used to categorize different levels of human development, ranging from the least developed wildlings and barbarians to the last stage of development, civilization. Foreign cultural assets were scientifically organized...This information was used as a foundation for a proposed general chronology of humankind's history. The technical level of skill and productivity of a culture would serve as the measurement towards civilization. European society was considered the highest measure of civilization...

Well-known anthropologists of the time found value in the musealization of traditional cultures as the way to document the "victims of progress" that accompanied the "progress" of the time.

As colonial expeditions and settlements continued to grow and Europe began dividing land around the world, scientists as well as normal citizens were exposed to not only different cultures, but also different physical characteristics between human beings. Researchers sought evidence to explain these differences and used the information in the aims to prove the superiority of Europeans. Much of the twenty-first century racism practiced worldwide has its origins here.⁴³

Within this hierarchy of human evolution, Aboriginal Australians were placed on the lowest rung. In 1856 Thomas Henry Huxley and other leading Darwinians proclaimed Australia's first peoples to be 'living fossils', comparable to the recently unearthed Neanderthal remains. Their interest fuelled an active trade in the remains of Indigenous peoples around the world, as Dr Scheps-Bretschneider described:

Research societies and institutions as well as anatomists, doctors, historians all over Europe and eventually, the United States all vied for a collection of rare bones. Well-known researchers such as Felix von Luschan or Rudolf Virchow encouraged anyone going abroad—colonial officials, missionaries, travelers, and military members—to collect remains from different cultural groups in order to better compare. Von Luschan even had an instructive guide for laymen going abroad, using the findings and collections in his text *Physical Anthropology*, publishing several editions. The instructions do not include the ethics of a removal, and the collectors are not advised to consider the morality of the situation. A network of traders and dealers began forming, publishing advertisements in sales catalogues and magazines.

⁴³ / Dr Scheps-Bretschneider, correspondence with S. Yu, February 2019

Additionally, museums sought patrons who financed the acquisition of human remains.⁴⁴

In Australia, the trade in Aboriginal remains entailed robbing burial sites and 'harvesting' bodies. The South Australian coroner in the early twentieth century, Scottish doctor William Ramsay, was credited with providing 'numerous valuable contributions' to the Anatomical Museum at his alma mater, the University of Edinburgh. A public inquiry in 1903 into practices at the Adelaide morgue revealed a trade in body parts, mainly Aboriginal, that had flourished under Ramsay's tenure. When he died over 100 human skulls were found in his house.⁴⁵ Public institutions also amassed huge collections of Aboriginal human remains, and by the early 1930s the Australian Institute of Anatomy, under director Dr Colin MacKenzie, had acquired thousands of bones and other body parts of Aboriginal people and Torres Strait Islanders. On McKenzie's behalf, and for subsequent directors, Charles Murray Black 'began ransacking sacred Aboriginal sites across southern Australia'.⁴⁶ Black, as Paul Daley wrote,

collected as many bones as he had crates to hold them. The anatomy institute would send a truck to transport them to Canberra (in 1949 the institute had three cubic tons of Aboriginal bones in cases, representing perhaps thousands of individuals, most collected by Black).⁴⁷

In northern Australia it was a similar story. Heading a Swedish museum expedition in 1910/11, Eric Mjöberg on behalf of the Riksmuseum in Stockholm travelled through the Kimberley from Broome to the St George Ranges and back. In the published account of his journey, Mjöberg described raiding several Aboriginal burial caves, and trying to steal the body of a recently deceased man for his 'collections', as he called them.⁴⁸ Mjöberg stole as many human remains as he could without Aboriginal people seeing him, as he knew that they strongly objected to his actions. Mjöberg recounted that at Christmas Creek station the men looked at him with 'gloomy and threatening faces'.⁴⁹

⁴⁴ / Ibid.

⁴⁵ / P. Daley, 'Restless Indigenous remains', Meanjin papers, Melbourne University Press, March 2014, (online) <<https://meanjin.com.au/essays/restless-indigenous-remains/>>

⁴⁶ / Ibid.

⁴⁷ / Ibid.

⁴⁸ / E. Mjöberg, *Among wild animals and people in Australia = Bland vilda djur och folk i Australien*, translated by Margareta Luotsinen and Kim Akerman, Carlisle, W.A. : Hesperian Press, 2012

⁴⁹ / Ibid., p 226

As Paul Turnbull and Michael Pickering wrote,

It is not hard to understand why many Indigenous people should think that the collecting of remains was motivated by the same aggressive colonialist ambitions that saw them violently dispossessed of their land and its sustenance of their traditional way of life. Reburying the remains of their ancestors is an obligation for communities for whom the psychic and material legacies of colonial oppression have yet to be overcome.⁵⁰

⁵⁰ / P. Turnbull and M. Pickering (eds), *The long way home : the meaning and values of repatriation*, New York : Berghahn Books, 2010, p 6

OUR NEXT STEPS

We understand that we cannot change the past, but we can acknowledge the gross injustices endured by our ancestors and tell the truth of what has happened. Many of our people have been killed, tortured and taken away from their country, both as workers when they were alive, and then again in death as their bodies were stripped, dug up, decapitated, and their remains taken and sold to collectors, archaeologist, ethnologists and scientists around the world. This is the grisly truth of what happened, and the story that has been etched in the bones of those who were taken away and now found. Like the unknown soldiers of world wars, they should be acknowledged and brought back to their home country.

It is our role as descendants, or as cultural custodians for those who may have come from other areas, we are culturally responsible for all those who come into our country. It is our responsibility to find and bring home those who were taken away from here in a culturally appropriate manner, so that their spirits may rest. In doing so we need to share their stories and acknowledge the traumas and indignities that they have suffered, and to bring them home so they may rest. Only then can there be *mabu liyan* – wellbeing within the community. Once returned to community care, the remains will be reburied in traditional country at a time and place and in accordance with customary law, but only after careful reflection on what museum and other historical records disclose about the circumstances in which they were acquired.

As the late Tom Treverrow, Elder of the Ngarrindjeri people, observed when reburying the bones of his ancestors returned from the Anatomy Department of the University of Edinburgh,

all those Old People and the people we got here, [they are] all our family. We know where they were taken from, illegally taken from their burial grounds: their resting places and we know that they are our ancestors, we are connected to them ... We know that their spirit has been at unrest. We believe that the things that happen around us—our lands and waters—is all connected. It's part of it, and what's

happening here is part of the healing process, when we bring our Old People home.⁵¹

Indigenous Australians speak of repatriation rather than of the return of the bones or remains of their ancestors. They believe that the spirits as well as the bones of their Old People are making the journey home to the care of the land.

Our immediate request is to seek funds for the repatriation of the remains from Germany. This will require several of our Yawuru and Karajarri elders to travel to Germany, to conduct culturally appropriate ceremony and to accompany them back to Australia. We also wish to make direct contact with the Natural History Museum about the repatriation of Gwarinman.

In the first instance we will bring the remains held in Germany to Perth where they will be held in the Western Australian museum. The Yawuru and Karajarri Law bosses, and the curators at the Ethnographic Museums of Saxony would like to document this process. To do this Ramu Productions, associated with Goolarri Media Enterprises and Australia's first Aboriginal-owned film company, have agreed to produce a documentary about this significant story.

We are therefore seeking funds this current application is to seek funds for the first stage the project for:

- Travel costs associated with taking a groups of elders and NBY staff to Germany and England
- community consultations with Yawuru and Karajarri
- archival research and oral recordings
- preparing documentation to raise funds for a film production

⁵¹ / S.J. Hemming and C. Wilson, 'The first 'Stolen Generation' : repatriation and reburial in Ngarrindjeri Ruwe (country)' in P. Turnbull and M. Pickering (eds), *The long way home : the meaning and values of repatriation*, p 183

- an interpretive framework for all aspects of the project, based on our community consultations and research
- And to prepare scope of works for art projects within the memorial site.

We urge the Australian government to support us in this endeavor to tell the extraordinary story so and to help bring home our lost ancestors, with the respect and dignity that they deserve. As our elders have often told us, these restless souls are finding their way home. It is now our task to make it a safe and respectful one.

Fiona Skyring, Historian

Sarah Yu, NBY Curator

March 2019