

MORETON TELEGRAPH STATION: 1902 THE NATIVE POLICE ON CAPE YORK PENINSULA

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Abstract

This paper looks at a violent encounter between Aboriginal people and Native Troopers in 1902. The history of native policing in Queensland is a sensitive issue, and needs careful examination. It is important to remember while looking at this history that many Aboriginal people had good reasons to avoid police. The use of lawful force by police, and its implications, are part of the history of uneven relationships between police and indigenous people in Queensland. Official inquiries promising to "thoroughly investigate" claims of serious crime often fail to do so. This is the story of one such inquiry.

The Native Police had an enormous impact on race relations in Queensland, and, historically, continues to affect relations between police and the indigenous community. This is particularly so because of the strong connections between Aboriginal people and specific places, the importance of oral history and the revival of traditional law. Even though the descendants of those involved may not know the full details, the sites of police killings have become "special places" for indigenous people and have become firmly connected in peoples' memories with the intersections of history, policing and punishment.



In October 1902, Queensland Police Commissioner WE Parry-Okeden and the state's Northern Protector of Aboriginals, Walter Roth held an inquest at the Moreton Telegraph Station on Cape York Peninsula and at Cooktown into the deaths of four Aboriginal men. The cause of death was recorded as “gunshots”ⁱ. Why did the Police Commissioner travel into the wilds of Cape York for a routine investigation? What part did Protector Roth play in the whole affair? Who killed these Aboriginal men, and what happened afterwards?

Introduction - Native Policing

Most of the colonies in the British Empire of the nineteenth century had, in some form or another, native forces who were deployed in a range of army and police roles, because these native contingents were much cheaper to operate in colonial frontier conditions than European police or soldiers. Queensland was a typical nineteenth-century self-governing British colony and had its own Native Police force. Armed and mounted Aboriginal troopers led by European officers operated throughout the "unsettled districts" of the colony against indigenous peopleⁱⁱ.

The primary function of this formation was to operate as a retaliatory force and it was, effectively, an armed rapid response group for European miners, graziers and settlers. This force, called the Queensland Native Police, performed a similar role to various native mounted forces in African colonies and the native irregular cavalry in India. It had no powers of law enforcement or crime prevention except in the case of indigenous people, and it actively participated in their dispersion and decimation.

It is worth looking at the police in colonial Queensland because they stood at one of the outer margins of the British Empireⁱⁱⁱ. Frantz Fanon's position on imperial power symbols in *The Wretched of the Earth* can be usefully applied to colonial Queensland. He said:

The frontiers of the colonial world are shown by barracks and police stations. In the colonies it is the policeman and the soldier who are the official, instituted go-betweens, the spokesman of the settler^{iv}.

Police represented the power of remote, central authority and this is particularly true with regard to the intersections of race and law^v.

It is important to look at the history of relations between indigenous people and police in Queensland because so many contemporary issues and problems can be traced back to the events and policies of the nineteenth century. This "hang-over" from our colonial past sometimes affects the interpretation of, and attitudes towards, the justice system. The police are often seen today, as they have been in the past, as little more than the symbols and agents of imposed authority. The "baggage" of colonial history is still with us today.

Aboriginal and Torres Strait Islander people throughout Australia learned quickly, under colonial law, that force only travelled one way - towards them. If a European died at indigenous hands, official retribution quickly followed but if a black person was killed by a white, generally nothing happened. Attacks on, or the deaths of white people, meant an official inquiry and serious charges – but violent deaths of Aboriginal or Torres Strait Islander people were not usually investigated.

This particular incident is different and worth examining because it did involve an investigation of Aboriginal deaths by a senior police officer. Any official inquiry into frontier policing conducted by a Commissioner of Police is unusual and, therefore, historically significant. The records of this case also give us a useful insight into the policing of indigenous people on the Queensland frontier and it clearly shows how Aboriginal people, in this instance, were treated by the criminal justice system.

Although the principles of "due legal process" were followed, this case adequately demonstrates that there was a general reluctance by crown officers to accept indigenous evidence. This form of "one-sided justice" was intrinsically connected with the notion of racial superiority, the tradition of colonial paternalism and the process of dispossession. In this regard, officials (including police) in Queensland were no different from their counterparts in other colonies, both in Australia and overseas.

Sometimes, learning about one particular event, such as this one, may help us to better understand frontier history. Peoples' attitudes and perceptions are often based on the versions of the past they are exposed to, particularly with regard to the actions of the Native Police. Hearing about episodes like this may help us to understand colonial race relations because it can tell us about the history of relations between indigenous people and the criminal justice system.

Background

Government policy in Queensland towards Aboriginal people during the nineteenth century moved from a state of war to a campaign of assimilation^{vi}. Officially, the violent confrontations of the early decades after Separation, particularly those connected with the activities of the Native Police, had been replaced by humanitarian concerns.

In 1896, Police Commissioner Parry-Okeden was ordered to compile a report on North Queensland Aborigines and the Native Police. He spent several months on Cape York Peninsula investigating conditions and made a number of recommendations that were incorporated into the 1897 Aboriginal Protection Act. Parry-Okeden, who had strongly advocated the retention of the Native Police, became the colony's first Aboriginal Protector in 1898. He carried out, according to historian Ross Johnston, a 'complete reconstruction' of the force and gave instructions that police 'were to protect blacks from all forms of injustice'^{vii}.

Under the terms of the 1897 Act, Dr Walter Roth was appointed as Northern Protector of Aborigines and, at the same time, Archibald Meston was appointed as Southern Protector for districts south of Rockhampton. Meston was a self-proclaimed "Aboriginal Expert" and had called for the "total abolition of the Native Police" in the same year. Roth, a doctor and a self-taught ethnographer, was a key player in the 1902 episode.

Most of the Aboriginal troopers from the Native Police were renamed "black trackers" and attached to various police stations. There is much confusion about the date of the force's disbandment^{viii}. In the state's far north, small groups of armed and mounted trackers led by white officers continued to patrol during the early decades of this century^{ix}. They were seen as a necessity on the state's last frontiers and continued to be for a number of decades. There were troopers at Cooktown until 1904 and the Commissioner's 1913 Annual Report noted that 'the only Native Police detachment now in existence is stationed at Coen'. The Coen Native Police camp continued to exist until at least 1920^x.

The Patrol

In March 1902, the police at Thursday Island reported that an Aboriginal crew had thrown overboard and then "cleared out" in a boat stolen from its Japanese owners^{xi}. Thursday Island Protector Bennett had asked the Home Office after the theft of another boat in early 1902, to 'instruct the police to do their utmost to arrest these natives, as boat-stealing is becoming too common an occurrence, and an example must be made'^{xii}.

In Brisbane, Chief Inspector Alexander Douglas (a former Native Police officer) advised Inspector Charles Marrett at Cairns about the theft. Douglas said that he thought the crew would take the boat to the place where they had been recruited. Marrett then telegraphed an order to Sergeant James Whiteford, at the Laura Native Police camp 250 kilometres south of Coen, to organise a patrol^{xiii}.

Whiteford despatched a patrol led by a young inexperienced constable named John Hoole. He had joined the Queensland Police Force at the age of 29 three years earlier. On his application to join the police force, Hoole said that he was 'a practical bush man', 'a good horse-man' and bore references from 'all the leading gentlemen' in the Armidale district of New South Wales^{xiv}.

Hoole had spent the previous two years at the "Eight Mile" Native Police camp near Cooktown being trained by experienced Native Police officers. He was usually stationed at Cairns, but in early 1902 was **'in charge of the flying detachment'** at Musgrave, south of Coen. At the subsequent inquiry, Marrett stated that he 'could not recall' Hoole having ever arrested an Aboriginal person before^{xv}.

Hoole set forth from Coen on the 1st of April 1902 with trackers Albert, Jerry, Noble and Rob. A local man named Cockroach was 'told to accompany' the police by the Officer in Charge of the Moreton Telegraph Station, Peter Scott Lindeman. The patrol headed north for the Wenlock and the Ducie Rivers^{xvi}.

Constable Hoole stated at the subsequent inquiry that his patrol had attempted to pursue the suspected boat thieves and shots were fired 'in the air' by the troopers. The troopers later admitted that there had been a struggle as the men attempted to escape. Hoole, on his return to the Moreton on the 28th, reported to Sergeant Whiteford at Coen that the patrol had returned to camp. Hoole wired that he was 'going on tomorrow in pursuit' and Whiteford replied:

“Yes follow on try and arrest offenders if possible.”

Hoole continued to patrol for a number of weeks before returning to Musgrave and submitting his report^{xvii}. Soon, the news spread that a number of Aboriginal men had been killed near the Ducie River. Their names were recorded as Peter, Johnny, Old Bob and Topsy's Father, and they were all known as 'quiet' blacks with no previous involvement with the police.

Bishop White was visiting Mapoon with Protector Roth when news of the deaths arrived and they travelled to the Moreton together^{xviii}. They were met on the way by a funeral procession of about 100 people carrying the body of one of the deceased for Roth's examination. According to White, the attack was 'described with extraordinary vividness'^{xix}. The Aboriginal people they spoke to recounted how the attacking party had opened fire and then returned on the next day to burn the bodies^{xx}.

Roth began his investigation on arrival at the waterhole on the 15th of May. He was shown two bodies wrapped in bark and was also shown the remains of a fire 'in which he found human remains and portions of two bodies'. White related how Roth located a lump of lead 'of the exact weight of a bullet' under one of the skulls but no cartridge cases. White said they had 'sufficient evidence to induce the Police Commissioner to make the journey up from Brisbane'^{xxi}.

The Moreton Telegraph Officer, Scott Lindeman, gave a statement to Roth on the 22nd of May. He said that he had told Cockroach to go with the police party, **at Hoole's request**, and that he considered the local Aboriginal people to be "wild" blacks. He said that Hoole was 'glad of any information or aid' because he had told Lindeman he 'had **little or no experience among wild blacks**'. Lindeman said that he wasn't sure if there were three troopers or four. He stated that Hoole had informed him, upon his return from the patrol, that 'the country was too rough to catch the Blacks with only four troopers'.

Bishop White gave a statement on the 27th, recounting conversations he had had with a number of Aboriginal men. He said that he had been told that the victims were killed by Cockroach and later burnt. He recalled a conversation between Roth and Cockroach in White's presence. According to White, Cockroach said 'Trooper shoot boy' and strenuously denied using a gun, stating that 'he did not know how to shoot'. After collecting evidence and statements, Roth and White then went to Weipa, via Mapoon.

On the 1st of June Walter Roth submitted his report, headed **Police shooting aboriginals**, to the Home Department. He said that 'all four deceased bore very good characters' and said that the men, who he believed had been shot, came from three separate tribes. This meant, according to Roth, that 'there would now be bloodshed by the one mob on the other until all four deaths are avenged'. He added:

Personally, I would not be surprised if an outrage were perpetrated on the next European who comes along.

Roth said that Lindeman had asked him 'if the police were acting under any secret orders'. He stressed that he and Bishop White had kept all their enquiries and the evidence secret, and continued:

It therefore only remains for Constable Hoole to be quietly separated from his troopers so as to prevent any collusion taking place and for some senior police officer - **a gentleman who has never had anything to do with the Native Police** - to make any further investigations.

Noting that 'the blacks are naturally in deadly terror of the police', Roth referred in his report to 'certain other matters connected with this case'^{xxii}. He said that he strongly believed:

1. That the police should not be using explosive bullets;
2. That no tracker should be armed;
3. That all trackers should be placed under agreement and regularly 'weeded out';
4. If trackers' "gins" [female partners] were employed, they should be placed under agreement as well;
5. No unmarried constable should be allowed command of Native Police; and
6. Some action must be taken to have Cape York better controlled.

Roth had definite views about relations between police and Aboriginal people, and clearly showed little hesitation in airing them. In 1901, Roth had criticised the police for 'continuing to employ trackers and their "gins" illegally' and not obtaining formal signed agreements from him^{xxiii}.

Roth's report, marked "Confidential", was sent by the Home Secretary to the Commissioner of Police on the 25th of June. It remained "Put Away" despite Roth's references to the matter in his regular monthly reports as 'the **late tragedy committed by the Native Police**' and as 'the **quadruple murder by the police**'^{xxiv}.

The Story Breaks

On the 29th of August the *Endeavour Beacon*, a Cooktown newspaper, reported the:

Rumoured murder of aboriginals "By Authority": It appears the police got on the track of the niggers they wanted, who were four in number; the troopers were a bit too good for those they were after, they were bailed up near a waterhole - **and without any further discussion shot where they stood**

The story mentioned 'explosive bullets', 'aboriginal witnesses' and Roth's refusal to 'discuss the subject in any shape or form'. According to the newspaper:

We have thought it advisable to refer to the matter publicly, in the hope that some official notice will be taken of the rumor. We certainly expect that action will be taken to prove, if possible, the truth or otherwise, of such a rumour.

By 9.30am that morning, Roth had sent a telegram to the Home Department. He said that the newspaper story gave 'fairly accurate details' of the '**murder of four aboriginals by police**' and asked:

Please release me from invidious situation in which I am placed by either giving me as protector an acknowledgement of my report of the massacre or else by permitting me as Magistrate holding the enquiry to **issue warrants for arrest of Constable and trackers on Capital charge**

Home Secretary JFG Foxton wired back that he was 'much disappointed at information having leaked out at your end. Can you say how this happened. **Secrecy was most desirable as you pointed out.**'

WH Ryder, the Under Secretary of the Home Department, sent Roth instructions. He was to 'proceed at once to Moreton and select evidence', as the commissioner would 'follow to hold inquiry jointly with you'. He also said that the delay in dealing with the matter was unavoidable which meant that '**secrecy was essential**' and Roth was only permitted to state that the matter had been reported to him.

Roth replied to Foxton next morning, stating that 'secrecy [was] hardly to be expected considering that about eight or nine people originally knew of it' and could he hold the inquiry with 'some reliable magistrate'. Ryder wired Roth on the 2nd of September. He said that Roth's affidavit was of 'no legal value', and that he had 'better proceed and collect evidence as instructed'. Roth replied that it was 'useless' to hold the inquiry until key witnesses were found and asked for further advice^{xxv}.



THE POST AND TELEGRAPH STATION AT COEN.
One of the Stations of the great Overland Telegraph Line.

The Inquiry

The Brisbane weekly paper, *The Queenslander*, repeated the story from the *Cooktown Beacon*, with an official statement^{xxvi}. The Home Secretary said that news of the incident was "kept quiet" by the government to 'prevent the obliteration of any evidence' but that the inquiry would now commence earlier than planned^{xxvii}. Stating that 'of course **black's evidence is always more or less unsatisfactory from a legal point of view**', the Home Secretary promised to '**sheet home**' the matter because it was:

Undermining the system that has been in vogue, by which the blacktrackers are regarded now by the blacks as their friends rather than as their enemies, **as they were in the days of the dispersal**^{xxviii}.

Parry-Okeden's Magisterial Inquiry was held at the Moreton Telegraph Station in September 1902^{xxix}. On the opening day, Parry-Okeden wired to Home Secretary that he considered it important for Nicholas Hey, from the Moravian mission established at Mapoon in 1891, to be present at the inquiry because of his 'valuable experience among Aboriginals'^{xxx}.

Roth's statement was taken first. After describing the events prior to his examination, Roth proceeded and said that, in his opinion, bullets 'fired at close quarters' caused the wounds on the two bodies he had seen.

On the inquiry's second day all witnesses except Lindeman, Hoole and troopers Jerry, Rob and Albert were 'ordered out of hearing of the court'. Hoole insisted on being allowed to make a statement despite being warned that he was 'under **suspicion of being implicated in the death** of persons' and not compelled to give evidence.

After giving details of his patrol before the encounter, Hoole then recounted the events that had taken place after the patrol saw a small group of people camped by a waterhole^{xxxi}. He related how the Aboriginal people 'ran away in all directions' at the sight of police, and said:

"I called out to the troopers to get around them and stop them"

Hoole stated that his horse had got bogged and it took 'about five minutes or thereabouts' to get it out while 'the boys went on galloping'. During that time, he said, he heard two shots fired. According to his statement, Hoole later asked the troopers why they had fired and said they replied that they had fired two shots 'high up to make them stop'. He also added that he had seen two bodies rolled up in bark at the camp and emphasized that the troopers and Cockroach had seen them too^{xxxii}.

On the following day, Hoole continued giving his evidence. He acknowledged that he was the officer in charge and stated that 'all the troopers were armed with **Martini carbines**'. He then said:

They were not loaded when we started. I do not allow my troopers to load their rifles without my permission. They only load them when I order them. **I have never ordered them load therefore I have not used any form of order.**

But, he admitted:

They carry their ammunition. **They could load whether I liked or not.**

When questioned about the shots he had heard, Hoole answered that he believed Albert's account that the shots were fired in the air. He stated:

I never had occasion to shoot over the heads of blacks. It is not my custom to shoot over the heads of blacks nor is it the custom of the Troopers so far as I know to shoot over the heads of blacks to make them stop. **They must have got excited when they fired over their heads.**

Angus Nicholson, a labourer at the Moreton Telegraph Station gave a statement on the 20th in which he said that he heard a conversation between Hoole and Lindeman on the night the patrol returned. According to Nicholson, Hoole said that:

He went out there and saw a lot of niggers and tried to get some that he wanted and that he couldn't.

Trooper Rob was then called to give his evidence, and, after swearing an oath of 'Suppose I tellem you a lie, I go to gaol', he proceeded. He said that he had heard two shots but was 'long way from the dead man'. After noting that the witness 'did not make any statement of an incriminatory character', Parry-Okeden called the next trooper forward. Albert said that the people from the camp had 'run away' and then added:

I been seen em blacks and I been sing out "**Hoy! Stop!**". He wouldn't stop he run away **I fire very high.**

At this point, Parry-Okeden adjourned the inquiry.

When the inquiry was re-opened at Cooktown on the 22nd, Hoole gave further evidence but added little to his original account. The Aboriginal man Cockroach was called next and he testified that he had heard two shots as well. Two other Aboriginal men, named Plain Joe and Pumpkin, also gave statements. Trooper Noble's statement was taken^{xxxiii}. He said:

I saw Albert shot it one black fellow, two black fellow, this side the creek. I been see three fellow dead and one fellow in bark that makem four.

Trooper Jerry was then called to give a statement. He said that he had waited with Hoole after he got bogged in the creek and that Albert, Noble and Rob had joined them. Jerry said that he saw two dead men 'tied up in bark' lying on the ground in the camp^{xxxiv}.

Roth made a statement to the inquiry that he thought, after hearing the evidence, that Hoole and trooper Jerry were 'innocent of any actual shooting'.

The *Brisbane Courier* carried a report about the investigation on the 30th of September^{xxxv}. Parry-Okeden declined to give an opinion, and stated that his duty was to forward the depositions to the Justice Department. He did however, point out that Roth had '**practically been the accuser**' of Hoole. The paper noted that the suspension of Hoole and the troopers was 'an outcome' of:

The necessity that exists for not passing over breaches of discipline, by which troopers could be even temporarily placed in a position to be **out of hand**, and thereby bring **suspicion on the force**.

Hey wrote to the Home Secretary on the 1st October to support Parry-Okeden, saying that:

[He] could not believe for a moment that the Commissioner of Police would give his consent to, or even hush up, the shooting of Blacks by the Police, as was rumoured.

Hey also said that Roth's charges against Hoole and his four troopers 'could not be proved' but, in his opinion:

Hoole has **greatly neglected his duties** as officer in charge of the patrol and there remains a very strong suspicion that three of the troopers in question are responsible for the death of at least two if not four innocent Aboriginals.

Parry-Okeden's sent his report on the inquiry to the Home Secretary and filed an inquest summary with the Justice Department^{xxxvi}. He said that '**none of the evidence given incriminates Constable Hoole or explains how the aboriginals came by their deaths**'. Parry-Okeden said that he believed 'in his own mind' that Noble and Albert had 'surely shot blacks' and he also suspected that Rob had too. Hoole and Jerry were, according to Parry-Okeden, innocent of any involvement in the shooting while Trooper Noble's evidence, he said, was not corroborated by any other witness.

The Aftermath

The Sydney Morning Herald carried a report on the inquiry on the 2nd of October, stating that 'no suspicion' was attached to a white constable but 'a certain amount of blame' was attached to at least two trackers^{xxxvii}. The troopers were taken to Cairns by Parry-Okeden and Marrett in early October, and 'detained' until the inquiry was concluded^{xxxviii}. Parry-Okeden took Hoole with him when he returned to Brisbane, and he recommended that the troopers should 'never be allowed to return to the north'^{xxxix}. Hoole resigned from the police in November 1902 and returned to New South Wales^{xl}.

A month later, Roth wrote to the Police Department requesting the return of all papers connected with the inquiry, saying simply 'I need them'. In April, Roth made a notation on one of the statements:

The whole statement upon this page has been written without my knowledge, approval or consent (and was seen by me for the first time on March 26th 1903). **Its inclusion here is, in my opinion, as outrageous as it is unwarranted**. At the time of the enquiry, at the Moreton, Mr Parry-Okeden had to withdraw his allegation (made in Rev Hey's presence and in open court) that I was "fencing".

On another document, Roth's note says:

My name has been used in this letter against my expressed wish and without my authority. **The use of my name here is a most contemptible breach of honour**.

Roth was appointed as Queensland's Chief Protector of Aborigines in 1904^{xli} but a public meeting at Cooktown in 1905 protested at his reappointment^{xlii}. A smear campaign led by two conservative politicians, business and sections of the media led to a parliamentary inquiry into charges of official misconduct^{xliii}. Roth, despite being cleared of any wrongdoing, left Queensland in 1906 and was appointed Aboriginal Protector in British Guyana, where he died in 1933.

Parry Okeden retired as police commissioner in 1905, later headed a Royal Commission into the administration of New Guinea and died at Brisbane in 1926. Sergeant Whiteford applied for retirement in 1911, quoting his thirty years of police service in remote areas as a major cause of his poor health. He said that he thought 'the blacks are just like a lot of grown up children - but more cunning - and I have had to treat them with a firm hand'^{xliv}.

Conclusion

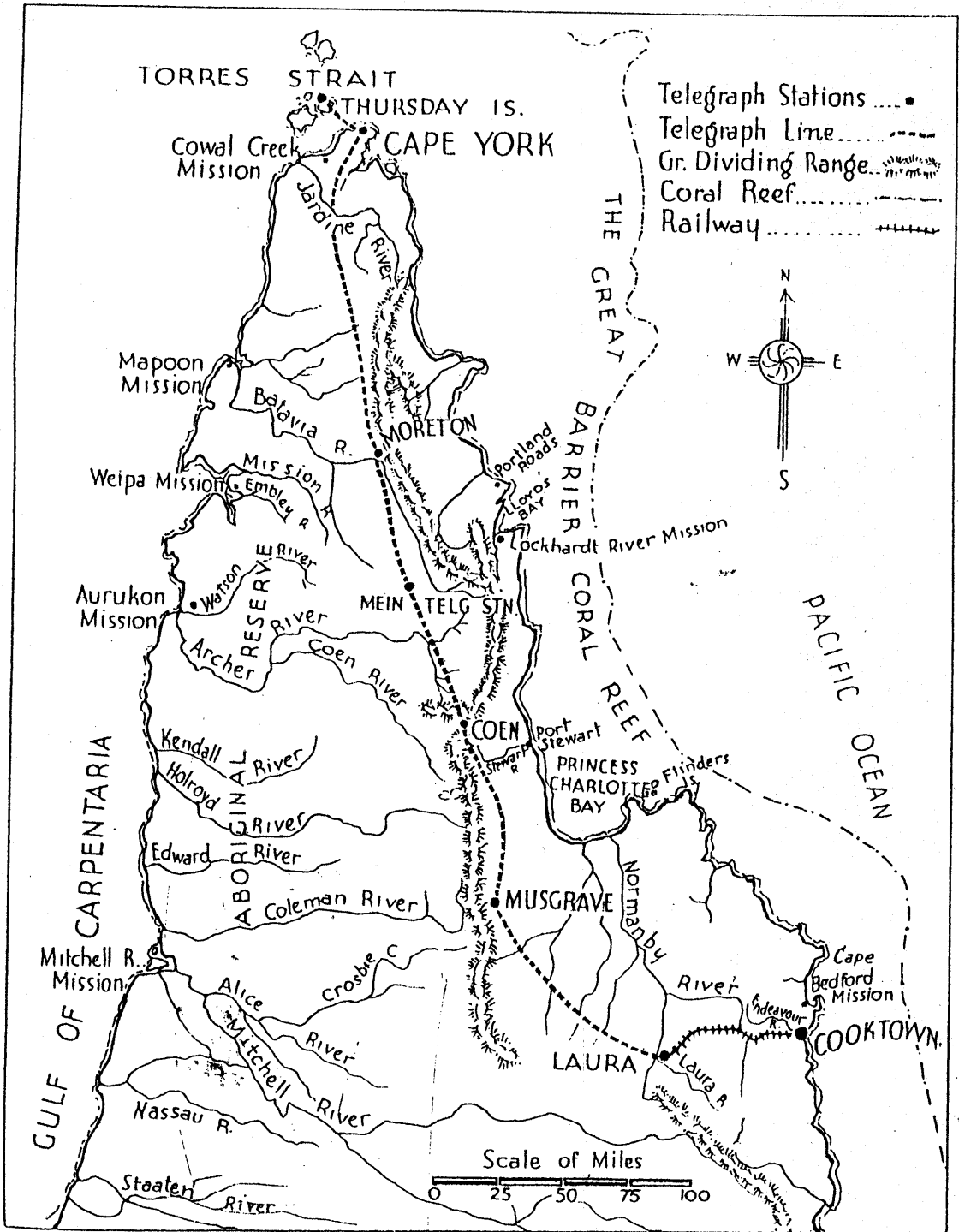
As this paper has shown, criminal justice proceedings in connection with Aboriginal people on Queensland's northern frontier conformed to standard colonial practices. While due legal process was observed, evidence given by indigenous people was not seriously considered. In this regard, the policing of Aboriginal people was markedly different from the policing of others and this anomaly was part of the broader ideological and political movements that were used to justify the European dispossession of indigenous land.

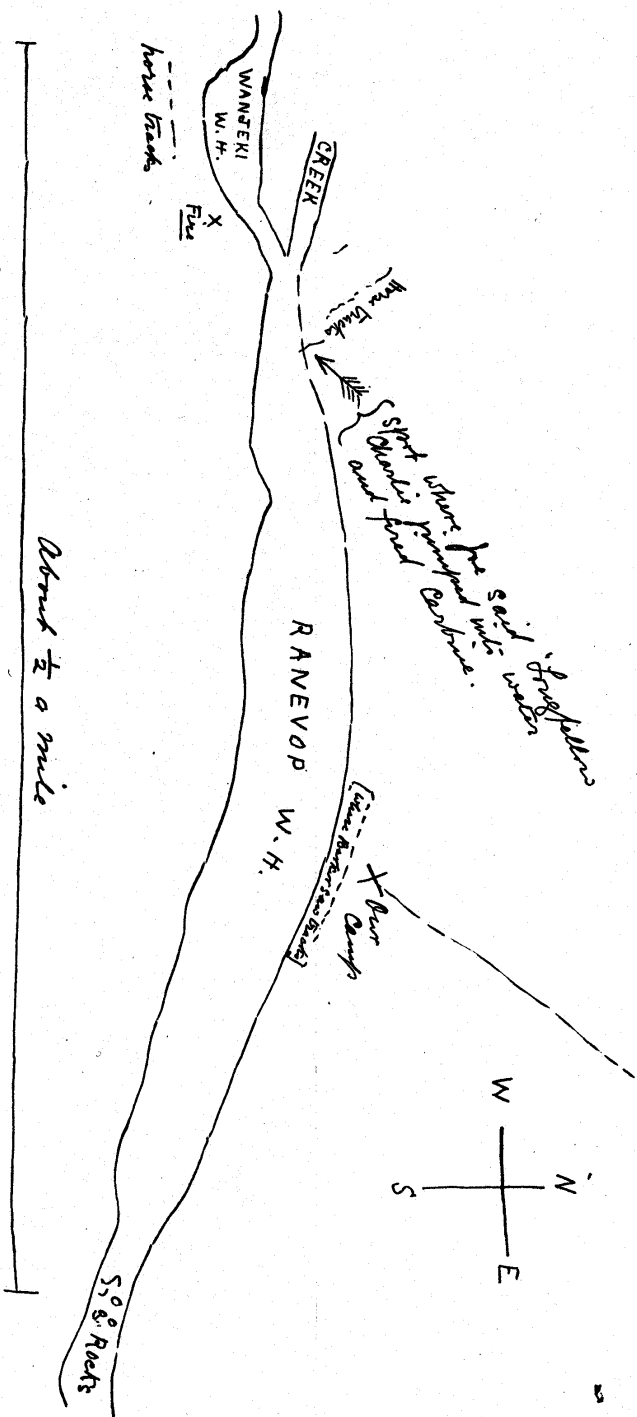
Much of the violence of the frontier has "disappeared" from the historical record and first-hand accounts of indigenous deaths that were connected with police are rare. This incident was different in that it gives us a useful insight into the operational practices of the Native Police and the running of an official inquiry. Because it is one of the few instances when indigenous deaths were reported and investigated, it has historical significance.

The activities of the Native Police had an important effect on the history of policing and race relations^{xlv}. Anthropologist Donald Thomson gave evidence for this during the 1930s when he crossed Cape York Peninsula and noted that the sight of clothes resembling police uniforms, as worn by his party, caused Aboriginal people to instantly "disappear"^{xlvi}. The police removed Aboriginal children and adults to church missions and government reserves as a standard administrative practice for most of this century. This "removal policy" cleared the land for European occupation and should rightly be seen as a continuation of the dispossession process begun by the Native Police.

It is episodes such as this that have caused indigenous people to believe that police are able to escape the justice system while they remain trapped in it. As one historian noted 'black people have seen the police as both the instrument and the symbol of white oppression'^{xlvii}. Episodes like this are part of the "historical baggage" that indigenous people are accused of carrying into the present, and, until incidents like this are acknowledged and dealt with, there will always be a residual distrust of the police and a reluctance to move forward. This case study shows that knowledge of the past may help inform our understanding of the present.

This incident illustrates how little has changed in the past one hundred years. Despite the recommendations of countless Royal Commissions and official inquiries, relations between indigenous people and police remain strained in many parts of Queensland. Despite the evidence of Aboriginal witnesses, and statements by Protector Roth and other Europeans, no charges were ever laid against any of those alleged to have been involved in the deaths.



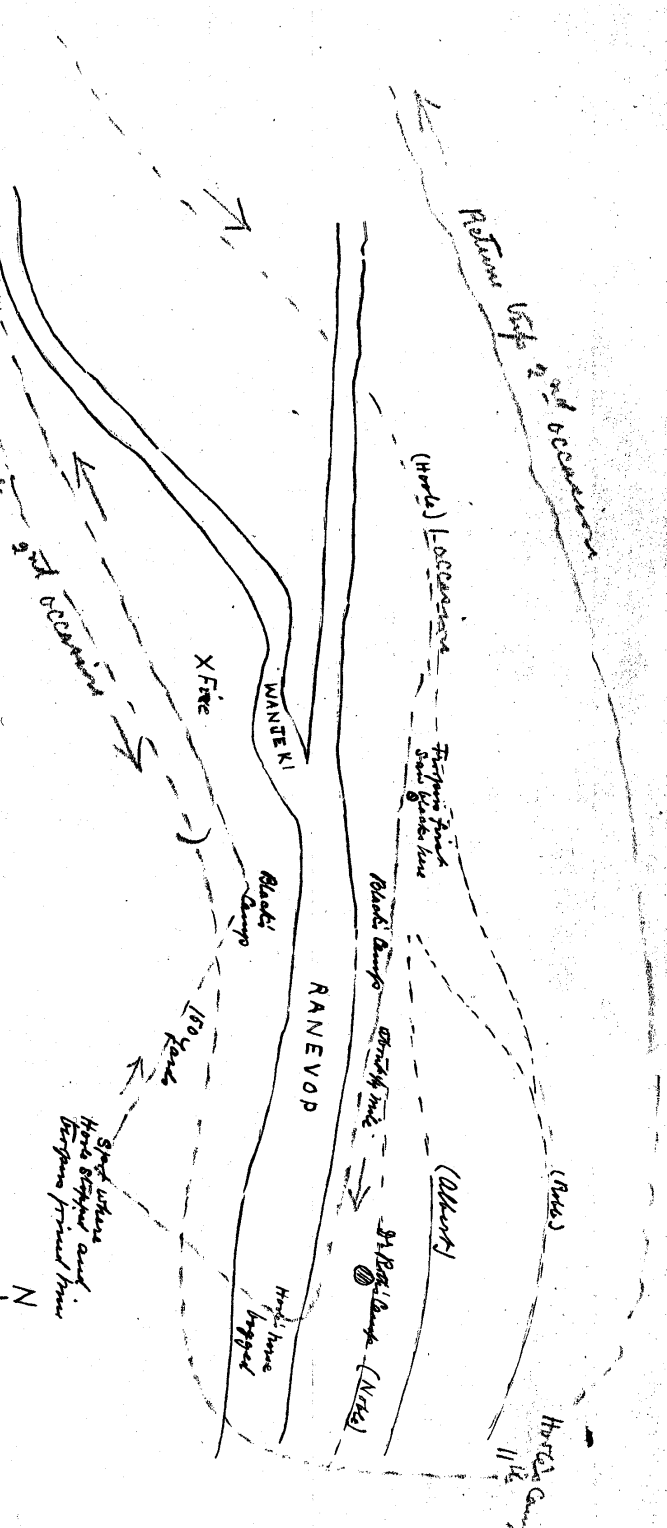


Magnificent imagery at
 Ranveop W.H. Station 16 Sept 1902
 Exhibit A (see H.S. P.O.)

About 1/2 a mile

Second sketch plan referred to at p. 1 of page 58 of these Depositions & not at p. 58 of page 58. (See) W. S. Rany-Medley, J.P.

This sketch plan was made by me since I was building the same again with Sgt's Mannerly, Sgt. Ludwig, Gunter, Hesse, Cookman, Robt, and Albin (31st Sgt's 1909) and more accurately indicate the locality illustrated in my sketch plan marked "Sketch A" at page 58 of my Deposition before Mr. Rany-Medley. (See) W. S. Rany.



ⁱ The incident that is the subject of this paper took place in 1902. There were many other similar violent episodes during the nineteenth-century, but this one was different. It took place this century, unlike most of the Native Police “actions”, and had witnesses. Records were also made by a number of people, including a Bishop, the Home Secretary and the Police Commissioner. Northern Protector Roth was told that some troopers had killed a number of men and he began an inquiry. Bishop Gilbert White went with Roth, when he went to “investigate certain charges” of “alleged murder”.

ⁱⁱ I wish to gratefully acknowledge the assistance of Mark Copland, Mark Finnane and Geoff Genever in the research for this paper.

ⁱⁱⁱ David Anderson & David Killingray (1991) *Policing the Empire*, Manchester University Press, p 1-2

^{iv} Frantz Fanon (1968) *The Wretched of the Earth*

^v As Mark Finnane (1991) states, the police ‘played a vital role in the construction of the colonial social order’ in ‘The varieties of policing: colonial Queensland, 1860-1900’ in Anderson and Killingray (eds) *Policing the Empire*, Manchester University Press, p 49

^{vi} See Dawn May’s (1994) comment that ‘dispersal tactics were to be abandoned in favour of ‘a more conciliatory approach to blacks’ in *Aboriginal Labour and the Cattle Industry*, Cambridge University Press, p 59

^{vii} Ross Johnston (1992) *The Long Blue Line*, Boolarong, p 197

^{viii} Geoff Genever (1992) *Black and Blue: Aboriginal Police Relations in Far North Queensland 1897-1939*, BA (Honours) Thesis, James Cook University

^{ix} Until 1899, a detachment was stationed at Turn Off lagoons, in the state's northwest.

^x QSA, A/58912

^{xi} The criminal offence sheet issued by the Thursday Island police lists the stolen items, including a double-barrel gun, as well as giving the names and place of origin of the Aboriginal suspects.

^{xii} QSA, A/44679

^{xiii} In 1898, Whiteford had been described by Inspector Marrett as ‘one of our best Native Police officers’ and as having ‘already done exceedingly good work’. He was, according to Marrett, the best officer at Musgrave in ‘the civilizing of the blacks’.

^{xiv} QSA, A/38841

^{xv} The incident in question took place at the Ranevop Waterhole on the Ducie River in April 1902. The Ducie River flows into the Gulf of Carpentaria past Mapoon and through Port Musgrave. The initial hearings of the subsequent inquiry were held at the Moreton Telegraph Station in the northern part of Cape York Peninsula. The Moreton, as it was often referred to and is still known as, is located in the centre of Cape York on a tributary of the Wenlock River. Later hearings were conducted at Cooktown (see Map1).

The Cape York Overland Telegraph line was erected between Cooktown and Thursday Island in the closing decades of the last century. Detachments of Native Police protected the workers during its construction and remained to guard the line from Aboriginal people, who had, according to a petition signed by Coen residents in 1891, stolen ‘miles of wire’ to make ‘weapons of the most deadly kind’. Newspapers at Cooktown had spoken of the “State of Open Warfare” that existed on Cape York Peninsula for the previous 15 years.

The Moreton Telegraph Station, located on the Batavia River, was one of a chain of fortified overland telegraph stations built in the late 1880s. They were, according to White, “ingeniously built to resist attack” with iron exteriors and series of loopholes around the walls. In the 1920s, a visiting naturalist, Captain Sir GH Wilkins, noted that the rifles and revolvers were still hanging near the loopholes (*Undiscovered Australia*, p71).

A double detachment of troopers was stationed at Coen to patrol the Cape after the Cooktown Chamber of Commerce called for increased protection. The secretary of the Chamber was William Armit, a former Native Police officer who had been dismissed from the force in 1882.

^{xvi} A station on the Ducie River, owned by ex-Native Police Inspector Frank Jardine, was protected by ‘a stockade’ armed with a 10-pound swivel gun which was, according to North Queensland writer Glenville Pike, ‘used on many occasions’ (*Cummins & Campbell’s Monthly Magazine*, March 1948, p39). Jardine was apparently the first European to explore the Ducie River and named it after the Earl of Ducie (R Logan Jack, *Northmost Australia*, p319)

^{xvii} Whiteford wrote to Inspector Marrett in late April about Hoole's report on the patrol, and advising him that ‘one old watch and two pairs of goggles’ located by Hoole were en route to Cooktown. On the 3rd of May, Marrett ordered Acting Sergeant Harry Hasenkamp at Cooktown to forward the evidence to the Thursday Island Police.

^{xviii} White later spoke of his realisation that he and Roth were vulnerable to attack, saying: I saw that to be unarmed was simply to invite attack and to put temptation in the way of a savage who would never dream of attacking one whom he knew had weapons. **We were careful not to show that we were unarmed** (White, 1918, *Thirty Years in Tropical Australia*, The Society for Promoting Christian Knowledge, London, p108)

^{xix} White (1918), op.cit., p110

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- ^{xx} The Native Police seem to have often burned the bodies of Aboriginal people they had shot.
- ^{xxi} White (1918) op.cit., p112
- ^{xxii} The tension that seems to have existed between Roth and the police may be related to communication: He had suggested to the Home Secretary in 1901 that 'all matters of aboriginal interest, including Native Police patrol reports' were to be sent immediately to him. Roth's frosty relationship with the police and government officers was to affect the course of the investigation and its aftermath.
- ^{xxiii} Roth to Police Commissioner, in QSA, POL/J15
- ^{xxiv} QSA, A/44679
- ^{xxv} On the 2nd of September, Sub Inspector Roland Garraway sent a telegram to Whiteford, advising him that Marrett and Roth would arrive at the Ducie River in two weeks time requiring horses, camping gear and a 'reliable interpreter'. Whiteford wired Lindeman on the same day, asking him if certain "boys" were about to 'keep them until I arrive'.
- ^{xxvi} *Queenslander*, 6/9/1902
- ^{xxvii} Foxton said that he believed Roth regarded Hoole's 'removal from the district' as an attempt to evade investigation, but maintained that it was only done 'to prevent the possibility [of] tampering with evidence'.
- ^{xxviii} *The Queenslander*, September 6 1902
- ^{xxix} Parry Okeden had been appointed as Police Commissioner in 1895. As noted earlier, Parry-Okeden had travelled throughout Cape York before compiling his report on the condition of the North Queensland Aborigines in 1897. He had held an inquiry at Cooktown three years earlier into allegations that a Native Police officer had sent women from Cooktown to Townsville as "troopers' gins". Sub Inspector William Cooper, who had been the Aboriginal Protector at Cairns, was subsequently suspended from the force.
- ^{xxx} Parry-Okeden also wired that he could 'forsee difficulties in circumstances Roth and self sitting jointly in formal inquiry. He must give evidence of facts. Think Roth with police assisting him would be in better position to help investigation'. Roth wired to the Home Secretary that he had seen Parry-Okeden's wire and 'heartily endorsed it'.
- ^{xxxi} At first Hoole said that he thought Roth and he were speaking of two different waterholes.
- ^{xxxii} He took 'an old single barrel shot gun' found in the camp, broke it and 'chucked it in the creek'.
- ^{xxxiii} A further statement by Noble was taken on the 3rd of October. He said that he thought the gun found at the camp had belonged to the Japanese owner of the boat and that Cockroach was related to at least one of the victims.
- ^{xxxiv} The shotgun found in the camp was, according to Jerry, smashed up and thrown in the creek by Hoole as they retreated.
- ^{xxxv} *Brisbane Courier*, September 30 1902.
- ^{xxxvi} The inquest summary (QSA, JUS/N309/330) gives an outline of Roth's hearing about the deaths and the alleged involvement of police, his investigation and examination of the bodies.
- ^{xxxvii} *Sydney Morning Herald*, October 2 1902
- ^{xxxviii} *Brisbane Courier*, October 7 1902
- ^{xxxix} Most, if not all, of the four troopers were originally from Cape York.
- ^{xl} QSA, A/38841
- ^{xli} In 1905 he was invited to head a Royal Commission into the conditions of Aboriginal people in Western Australia.
- ^{xlii} A letter by "Whistle C." in the "Aboriginalities" page of the *Bulletin* of October 11 attacked Roth, saying that he 'wants to put them on an island where he can be monarch of all the aborigines he surveys'.
- ^{xliii} see *Brisbane Courier* of 23rd November & 18th December 1905 for details
- ^{xliv} QSA, A/40348
- ^{xlv} Anthropologist Ursula McConnel, who visited Cape York in 1936, noted that 'there was only one social cleavage, and that is between black and white society'. On the Cape, she said, 'police and mission act as mediators' between the 'civilized and primitive' worlds, "Cape York Peninsula" in *Walkabout*, December 1934, p29.
- ^{xlvi} Donald Thomson (1934) 'Across Cape York Peninsula with a Pack Team', in *Walkabout*, December 1934, p 29
- ^{xlvii} Geoff Genever (1992) op.cit., p 55