



**HERITAGE
COUNCIL**
OF WESTERN AUSTRALIA

REGISTER OF HERITAGE PLACES – ASSESSMENT DOCUMENTATION

11. ASSESSMENT OF CULTURAL HERITAGE SIGNIFICANCE

The criteria adopted by the Heritage Council in November 1996 have been used to determine the cultural heritage significance of the place.

PRINCIPAL AUSTRALIAN HISTORIC THEME(S)

- 2.6.1 Resisting the advent of Europeans and their animals
- 2.6.2 Displacing Indigenous people
- 2.1 Living as Australia's earliest inhabitants

HERITAGE COUNCIL OF WESTERN AUSTRALIA THEME(S)

- 102 Aboriginal occupation
- 103 Racial contact and interaction
- 601 Aboriginal people
- 602 Early settlers
- 605 Famous and infamous people

11.1 AESTHETIC VALUE

Pinjarra Massacre Site has aesthetic value as a representative remnant piece of Australian bushland. (Criterion 1.3)

11.2 HISTORIC VALUE

Pinjarra Massacre Site contributes to an understanding of the human occupation of the Murray district by the Bindjareb Nyungar group and has associations with the social, economic and cultural history of these peoples prior to 1829. (Criterion 2.1)

Pinjarra Massacre Site is representative of the armed conflict between Nyungars and Wadjella in the early years of the Swan River Colony, as a result of the displacement of the Aboriginal peoples from their traditional lands and attempts by Europeans to secure the expansion and development of Western Australia. (Criterion 2.2)

Pinjarra Massacre Site is associated with the Bindjareb Nyungars who were killed in the attack by a group of Wadjella on 28 October 1834. (Criterion 2.3)

Pinjarra Massacre Site has associations with important Nyungar leaders, such as Gcalyut, a prominent resistance leader of the Bilyidar Bindjareb Nyungars, and Nunar, a senior man of the Bindjareb Nyungars, and others. (Criterion 2.3)

Pinjarra Massacre Site has associations with those Wadjella who took part in the attack, among whom numbered such important members of the Swan River Colony as Governor James Stirling, J.S. Roe, Thomas Peel, one of the largest landholders in the Mandurah-Murray District and a main protagonist in the conflict

with the Bindjareb Nyungars in this region, and Captain Ellis, with his special group of mounted police and a detachment of the 21st Regiment. (Criterion 2.3)

11. 3. SCIENTIFIC VALUE

Pinjarra Massacre Site has the potential to yield further information about the massacre and in particular about possible burial sites. At the time of the archaeological investigations, which occurred as part of the 1998 Pinjarra Massacre Site Report, it was recommended that further excavations would prove useful for examining anomalies identified by the Ground Penetrating Radar (GPR) and metal detecting equipment. (Criterion 3.1)

11. 4. SOCIAL VALUE

Pinjarra Massacre Site is of very high significance to the Nyungar community as an important part of their history. This is evidenced by the enormous amount of work carried out in an effort to gain recognition for the site through events such as the Back to Pinjarra Day, as well as the campaign undertaken to establish a memorial to those who were killed in the massacre, and are buried at or near the site. (Criteria 4.1 & 4.2)

Pinjarra Massacre Site has significant potential to contribute to the process of reconciliation between Indigenous and non-Indigenous Australians as a site which contributes to an increased understanding and acknowledgment of the desperate effects that the invasion of their land by Europeans had for Nyungar society, and as a site which at the same time points towards a future of hope and reconciliation. (Criteria 4.1 & 4.2)

12. DEGREE OF SIGNIFICANCE

12. 1. RARITY

Pinjarra Massacre Site is rare as a site memorialising the violent conflicts between Nyungar people and European settlers in the early years of the Swan River Colony, as a result of the displacement of the Aboriginal peoples from their traditional lands and their resistance to attempts by Europeans to secure the expansion and development of colonial Western Australia. (Criterion 5.1)

12. 2 REPRESENTATIVENESS

Pinjarra Massacre Site is representative of the armed conflict between Aboriginal groups and Wadjella in the early years of colonial settlements in Australia, as a result of the displacement of the Aboriginal peoples from their traditional lands and attempts by Europeans to secure the expansion and development of Australia. (Criterion 6.2)

12. 3 CONDITION

12. 4 INTEGRITY

12. 5 AUTHENTICITY

13. SUPPORTING EVIDENCE

This heritage assessment has been compiled by HCWA staff directly from a digital copy of the 'Pinjarra Massacre Site Research and Development Project: Report for Stage 1', prepared by Natalie Contos, in conjunction with Theo A. Kearing, Murray Districts Aboriginal Association and Len Collard and Dave Palmer, June 1998. Copies of the heritage assessment were sent to Lesley Morrison (Chairperson, Murray Districts Aboriginal Association) and Natalie Contos for review, and amended according to their recommendations.

A diagram is required to define the curtilage. Curtilage is to be advised by the report 'Murray Districts Hospital – Aboriginal Significance', prepared by the Department of Contract and Management Services in June 1997. This report recommends that the portion of land identified as being Reserve 31033 lying south of a point opposite the intersection of Padbury and McLarty Roads be excised, the title of this portion vested in the Murray Districts Aboriginal Association, and easy access provided for the Aboriginal community and the general public.

13.1 DOCUMENTARY EVIDENCE

Prior to 1829, the south-west corner of Western Australia was a well watered, fertile and densely populated region occupied by thirteen socio-dialectal groups who generically self identified as Nyungars (other spellings are Nyoongah and Noongar). The term Nyungar (meaning man or people) is used today to delineate people of Indigenous Australian descent whose forebears occupied and controlled Nyungar boodjar (Nyungar land) throughout the south-west corner of Australia.

The precise number of Nyungars living in the South-West prior to Wadjella (Nyungar term for Europeans) settlement is unknown. However it is thought that that Bindjareb Nyungar boodjar was among the most able to sustain the largest population. Historical material also indicates that during the early years of colonial occupation between 200 and 300 Nyungars would regularly gather at various sites in the region for community meetings and economic exchange.

The Bilyidar Bindjareb Nyungars are thought to have included three family groups, each of whom had a main camping area. One group, of about thirty to forty people, were loosely based in the area we now know as Mandurah. Gcalyut (sometimes written as Kal-yute, Kalyute, Calyute and other variations) may have been their leader. The second group, concentrated in the Pinjarra area may have been the largest, with about forty people and Nunar was possibly a senior man in their group. The third group was centred more in the North Dandalup area, and numbered only about fifteen to twenty people.

On 18 June 1829, just two weeks after the first European settlers arrived from England, Captain James Stirling proclaimed English rule. All people living in the West henceforth became British subjects. Nyungar-European relations were initially cordial. This largely reflected the fact that local Nyungars were well accustomed to visits from 'outsiders' as a result of previous exploration. The Nyungars also thought, in these early years, that Wadjellas (Europeans) were 'djenga', or returned spirits of dead relations, coming to stay. However, as it became evident that Europeans had neither any intention of respecting local protocol, following Nyungar legal obligations, or of leaving, relations often deteriorated. The fundamental differences between the groups became clear. Almost from the moment that Europeans entered Nyungar land, the Bindjareb Nyungars made a name for themselves as a group fiercely resistant to relinquishing control of their lands.

Soon after the establishment of the Swan River settlement, Europeans began arriving in what is now called the Peel region. In November 1829, William Preston and Alexander Collie led an expedition to ascertain the potential for agricultural development in what are now called the Mandurah and Murray areas. Within a short time a large tract of land was granted to Thomas Peel and a syndicate of developers. The land included 250,000 acres from Cockburn Sound south to Peel Inlet, and inland along the right bank of the Murray River as far as Pinjarra and almost to the Darling Range.

While Peel had hoped to obtain land near the centre of Perth, his late arrival at the Swan River colony meant that he was granted an area further south. His initial attempt at establishing a settlement at Clarence (near the present site of Woodmans Point) was a failure. After much illness and 30 deaths amongst his workers he was forced to move south to Mandurah. However, by the early 1830s, the Mandurah settlement was also on the verge of being abandoned.

Early in 1834, it was reported that large numbers of stray cattle had begun grazing on rich land east of Peel's Mandurah settlement. The land, it was found, included 'a plain of the richest grass and the finest loam... in the Colony, comprising an area of about 4,000 acres, the whole of which... could be turned up with a plough, without the outlay of one shilling for clearing'.¹ This land fell within Peel's grant and he immediately made plans to develop the area.

Peel reportedly had a strong dislike for Nyungars, blaming them for the failure of his Mandurah settlement and stating that they destroyed stock, crops, equipment and buildings with their strategically lit fires. If their fires didn't get the stock then often they would spear them or drive them away. According to Peel, Bindjareb Nyungars seemed determined to prevent European settlement of the area. Peel found that the presence of Nyungars was effectively preventing his intended development of the Murray Region, and with his funds near exhaustion, Peel sought Colonial government support for a military force to expel the Nyungars from the area.

The conflict at Peel's settlement at Mandurah and the Murray Region was but one of a number of armed exchanges between Nyungars and Europeans. In the few years preceding 1834, farms on the Upper Swan came under attack from Nyungars who were growing impatient and angry at what they saw as rude, ungracious and unjust behaviour by Europeans. As Nyungars came to the realisation that their hospitality was rarely being reciprocated and their protocols were being ignored and violated, the incidence of reprisals increased. 'Careless' and malicious treatment of Nyungars was followed by Nyungar reprisals. Attacks by Nyungars in turn prompted retaliations by the Europeans.

Many of the Europeans in the Swan River Colony believed that the way to deal with perceived Nyungar hostility or resistance was by a show of military strength and superiority. For example, in response to his frustration with Nyungar systems of reprisals that resulted in what Europeans saw as petty pilfering, Captain Frederick Irwin, one of the colonial leaders, arranged a punitive raid against Fremantle Nyungars. Several were killed or wounded. Captain Irwin reflected that the object had been to 'impress a salutary dread of our superiority and arms'.²

1 *Perth Gazette*, 1/3/1834, cited in 'Pinjarra Massacre Site Research and Development Project: Report for Stage 1', prepared by Natalie Contos, in conjunction with Theo A. Kearing, Murray Districts Aboriginal Association and Len Collard and Dave Palmer, June 1998.

2 Hallam, S. & Tilbrook, L., *Aborigines of the Southwest Region 1829 - 1849*, UWA Press, 1990, p. xiv, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

Even prior to actual settlement of the Murray region, there were clashes between Bindjareb Nyungars and Europeans. Stirling recorded that the 'murders and outrages committed by the Murray or Mandurah Tribes were various', beginning when a party of three men visiting the area was attacked by Nyungars before they had managed to communicate with them.³ The group was then held responsible for what was thought to be the first death of a settler as a result of Nyungar resistance; a young man called MacKenzie who was killed near the Murray River.⁴ This was followed in 1830, by the attack of settlers at Clarence and Rockingham by the Bindjareb Nyungars, with at least two recorded deaths. It is possible that several Nyungars died in these encounters, setting the stage for further retaliatory action.⁵ In addition, following the movement of Peel's settlement from Clarence to Mandurah in September 1830, colonial soldiers mounted a most serious and direct attack on Nyungar economic and ceremonial life when they broke down fish traps on the Murray and Serpentine Rivers;⁶ traps which were at the centre of some of the Nyungars most populated and important ceremonial meetings, and constituted a highly sophisticated piece of technology.

In response to Nyungar attacks on the local barracks, a group of settlers formed a local militia, with Peel as their commanding officer.⁷ Between 1831 and 1833, hostilities increased as further exploration was undertaken. Nyungar resistance was met with an increasing level of violence. In the Mandurah and Murray areas, the conflict worsened.

In February 1832, Private George Budge was ambushed by Bindjareb Nyungars, and speared to death near Peel's garden. The following July, Sergeant Wood of the 63rd Regiment was speared and nearly killed. The next month, the military post at Mandurah was again attacked by a strong force of Nyungar warriors. The post was saved by the arrival of Captain Ellis, Superintendent of Native Tribes, Ensign McLeod and a number of soldiers from the 63rd Regiment. The following day, the Bindjareb Nyungars threatened to attack Peel. To aid in the protection of his settlement, four of the soldiers remained at Mandurah. Subsequently, Ensign McLeod was appointed commanding officer of the soldiers, and a concerted effort was put into better defending the settlement. The Bindjareb Nyungars continued their efforts to drive away the settlers. In response, Captain Ellis returned with more soldiers, the party remaining at Mandurah until the threat from the Bindjareb Nyungars was seen to have passed.⁸

Large meetings of Nyungars for ceremonial purposes had the tendency to fuel European fears; for example, in August 1833, a party of about two or three hundred Nyungars camped around Peel's settlement.⁹

In February 1834, Captain Ellis, Superintendent of Police, made the decision to cut flour rations to the Nyungar population.¹⁰ They had been receiving flour since

3 Governor Stirling. Government despatches to the Colonial Office, Sept. 1834 - Dec. 1838, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

4 Hasluck, P., 'Early settlers on the Murray, in RWAHS, *Early Days*, Vol. 1, Pt. 6, pp. 16 - 30, 1929, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

5 Richards, R., *The Murray District of Western Australia: a History*, Shire of Murray, 1978, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

6 Hallam & Tilbrook, op. cit., cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

7 Richards, *The Murray District*, op. cit., cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

8 Governor Stirling. Government despatches to the Colonial Office, Sept. 1834 - Dec. 1838 & Harries, P., 'Frontier and Section: An analysis of Aboriginal and British Relationships during early European Settlement of the Murray-Mandurah District of Western Australia with special reference to the so-called 'Battle of Pinjarra'', Honours Thesis, Curtin University, 1998, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

9 *Perth Gazette*, 31/8/1833, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

the previous year and likely considered it to be an exchange payment by the Europeans for the use of their land and resources. The Bindjareb Nyungars were duly indignant at being deprived of their rations. In March, they entered Peel's property and demanded what they considered to be their rightful allocation of flour. The Nyungar group marched up to Peel's son, Fred, pointed a spear to his chest and held soldiers at bay through the threat of violence.¹¹

Concerns about the possible impact that the cutting flour rations would have was conveyed by Captain Byrne, who was stationed at Mandurah House (Peel's settlement), to the Lieutenant-Governor. However, no action was taken. In April, a group of Bindjareb Nyungars, reputedly led by Gcalyut, raided Shenton's Mill in South Perth. Captain Ellis and a party of the 21st Regiment eventually caught Gcalyut, Ye(y)dong, Gummol and Wamba. Wamba was pardoned after Peel and another settler spoke on his behalf but the others were taken to Perth and publicly flogged, Gcalyut receiving 60 lashes.¹²

Gcalyut was then held as a hostage for the good behaviour of the Bindjareb tribe until mid-June when he was given another 60 lashes, and then released.¹³ During Gcalyut's incarceration, the *Perth Gazette* observed 'we have every reason to expect the example which has been made of them will not be without its beneficial effects'.¹⁴ However, the Bindjareb Nyungars were not deterred from their course of resistance and, if anything, were incensed by the punishment.

In July 1834, Edward Barron, a retired army Sergeant Major who had shot a Nyungar in an earlier conflict, journeyed to Mandurah to buy one of Peel's most prized mares, only to discover that the horse had escaped into the bush. The next morning when Gcalyut's two sons, Monang and Unia (also known as Ninia), came into Peel's settlement for rations, Barron asked about the horse's whereabouts. Monang and Unia indicated that they knew where the horse might be and agreed to search for the mare, but returned claiming that they could not find it. Keen to buy the horse, Barron asked if the pair would accompany him in search of the horse. The Nyungars agreed on the condition that Peel would also join them. Peel refused to do this, but one of Lieutenant Armstrong's servants, the 19-year-old Hugh Nesbit, offered his services instead. According to later reports, the mare had already been killed and was part of an elaborate plan to lure Peel into the bush and spear him.¹⁵

After travelling about a mile towards Lake Goegrup, a number of Nyungars, including Gcalyut, joined the small search party. By the time they had made it to the lake, and after Barron and Nesbit had divided up, there were over twenty Nyungars in attendance. In addition to Gcalyut, Monang and Unia, they included Woodan, Meregga, Jack, Womba/n, his brother Nundja, Moat, Nunar, Yadong, Yunga, Calbourn, Wongup, Buggar, Gweerup, Denmar, Erit, Calliere, Yanmer, Berehan and possibly others. Later Barron reported that his suspicions had already been aroused but when his attention was disrupted by the sound of Nyungar spears being placed into their throwing sticks he knew that there was to be trouble. According to Barron, three spears hit Nesbit and struck him to the

10 The cutting of rations was likely to have been a result of low flour stocks as Captain Stirling subsequently reduced the settlers' quotas of flour in August of 1834, upon his return from a visit to England.

11 Fletcher, C., 'The Battle of Pinjarra: A Revisionist View', in *Studies in Western Australian History*, Vol. 8, 1984, pp. 1 - 6, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

12 *Perth Gazette*, 3/5/1834, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

13 Green, N., *Broken Spears: Aboriginals and Europeans in the Southwest of Australia*, Focus Education Services, WA, 1984, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

14 *Perth Gazette*, 3/5/1834, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

15 Thomas Peel to Governor Stirling, 1/4/1835, CSO Vol. 38 (188-192), cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

ground. Barron also took a spear in his kidneys but was able to retreat back to Peel's settlement.¹⁶

It was later reported in the *Perth Gazette* that a party of soldiers went out in search of Nesbit's body. His body had apparently been ritually mutilated with countless spear wounds inflicted on it after death.¹⁷

The killing of Nesbit prompted fear and anger throughout the colony. Although Europeans had been injured and killed by Nyungars before, this was the first time it had happened to a European known to be on friendly terms with Nyungars.¹⁸ Otherwise more humanitarian and 'responsible' Europeans now began to call for punitive action. On 26 July 1834, the editor of the *Perth Gazette*, wrote:

We earnestly and bitterly lament that another is added to the list of the murdered at the hands of the natives - and, although we have ever been the advocates of a humane and conciliatory line of procedure, this unprovoked attack must not be allowed to pass over without the infliction of the severest chastisement; and we cordially join our brother colonists in the universal call - for a summary and fearful example. We feel and know from experience that to punish with severity the perpetrators of the atrocities will be found in the end an act of the greatest kindness and humanity.¹⁹

Captain Ellis and a party of men were sent to the Murray area to hunt for Nesbit's murderers. Joined by soldiers from the barracks at Mandurah, the group combed the surrounding bush for many miles, continuing the search for a month. With the exception of two old women (whom they saw little point in capturing), no Bindjareb Nyungars were found.

Although alarmed by the murder, Peel remained determined to take control of the land. After Stirling's return to the colony from England in August, Peel lobbied Stirling to increase military protection in the Pinjarra District.

In addition to pressure from settlers, Stirling had other political motivations for wanting to put a stop to the resistance. He had returned from England in August 1834, with expectations that he would continue the development and expansion of the Western Australian settlement. His mission was to secure and open up the inland areas from the Swan River settlement to Albany. With the territory of the Bindjareb Nyungars situated right in the southward path, the resistance had to be stopped.

On 25 October, the *Perth Gazette* published a short paragraph stating that Stirling's 'Exploring Party' had departed on a ten day expedition: the impression conveyed by this report was that the intentions of Stirling's party were benign.²⁰

On 25 October, Sir James Stirling and Surveyor John Septimus Roe rode out of Perth, meeting up with various persons on their way to the Pinjarra District. By 27 October, their party numbered 25 people, including Stirling, Roe, Captain Meares and his son Seymour, Peel, Captain Ellis, Mr Norcott with five of the mounted police, Mr Surveyor Smythe, one soldier to lead a pack horse, Peel's servant, two Corporals and eight privates of the 21st Regiment.

(It should be noted that there are three known accounts of the actual confrontation at Pinjarra. Namely, Roe's field notes of the trip,²¹ the letter by

16 Ibid.

17 *Perth Gazette*, 26/7/1834, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

18 Green, N., 'Aborigines and white settlers in the nineteenth century', in Stannage, T., *A New History of Western Australia*, UWA Press, 1981, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

19 *Perth Gazette*, 26/7/1834, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

20 *Perth Gazette*, 25/10/1834, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

Stirling to the Colonial Office in London written to explain the incident to the British authorities, and an account provided to the *Perth Gazette* by an 'unidentified eyewitness' – a member of Stirling's party, which was published on 1 November 1834. The three accounts implied that the European party acted slowly and with restraint. On the other hand, many Nyungars, and indeed other Europeans writing about the event later, talk about full-scale charges and a carefully planned massacre.)

In Roe's account, the party headed east from Peel's settlement on 27 October, along the north bank of the Peel Estuary and within the hour across the Serpentine and Murray Rivers towards Pinjarra. Their camp at 'Jim-Jam', was on the southern bank of the Murray River, just upstream from where the Ravenswood Bridge now stands.²² They had been informed by Peel's intelligence that a sizeable band of Nyungars were camped on the river near the present site of Pinjarra, and they made camp in striking distance of this location.²³

On 28 October, Stirling sent Ellis, Norcott and three of his troopers across the river, around to the west of the camp. Keeping the party out of sight, Ellis was sent with Norcott, for the purpose of ascertaining whether they were the tribe who speared Nesbit and Barron. Apparently, Ellis recognized several of them to be those who were present at Nesbit's murder. Stirling later wrote that Ellis 'accordingly made a preconcerted [sic] signal to me, and advanced towards them'.²⁴

In the meantime, Stirling positioned the rest of the party out of sight around the camp. Roe was sent to guard the ford, while Stirling and the remainder of the party took up strategic positions on the eastern bank of the river at the ready. What happened next was described most graphically by the unidentified eyewitness who had supplied his account to the *Perth Gazette*:

The instant the police were observed approaching about 200 yards distance, the natives, to the number of about 70, started on their feet, the men seized their numerous and recently made spears, and showed a formidable front; but finding their visitors still approached, they seemed to feel unable to stand a charge and sullenly retreated, gradually quickening their pace until the word 'forward' from the leader of the gallant little party brought the horsemen in about half a minute dashing into the midst of them, the same moment having discovered the well known features of some of the most atrocious offenders of the obnoxious tribe. One of these, celebrated for his audacity and outrage, was the first to be recognized, at the distance of 5 or 6 yards from Mr Norcott, who knew him well, and immediately called out "these are the fellows we want, for here's the old rascal Noonarr"; on which this savage turned around and cried, with peculiar ferocity and emphasis, "Yes, Noonarr, me", and was in the act of hurling his spear at Norcott in token of requital for the recognition, when the latter shot him dead. The identity of the tribe being now clearly established, and the natives turning to assail their pursuers, the firing continued and was returned by the former with spears as they retreated to the river. The first shot, and the loud shouts and yells of the natives, were sufficient signal to the party who had halted a quarter of a mile above, who immediately followed Sir James Stirling at full speed and arrived opposite Capt. Ellis' party just as some of the natives had crossed and others were in the river. It was just the critical moment for them. Five or six rushed up the right bank, but were utterly confounded at meeting a second party of assailants, who immediately drove back those who had

21 Being stationed south of the action at the ford the party had first used to cross the river, Roe did not see events unfold and his account of the action is thought to have derived from the stories of the other men present at the time.

22 Richards, *The Murray District*, op. cit., cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

23 Green, *Broken Spears*, op. cit., cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

24 Governor Stirling. Government despatches to the Colonial Office, Sept. 1834 - Dec. 1838, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

escaped the firing. Being thus exposed to a cross fire, and having no time to rally their forces, they adopted the alternative of taking to the river, and secreting themselves amongst the roots and branches and holes on its banks, or by immersing themselves with the face only uncovered, and ready with a spear under water to take advantage of any one who approached within reach. Those who were sufficiently hardy or desperate to expose themselves on the offensive, or to attempt breaking through the assailants, were soon cleared off and the remainder were gradually picked out of their concealment by the cross fire from both banks, until between 25 and 30 were left dead on the field and in the river. The others had either escaped up and down the river, or had secreted themselves too closely to be discovered except in the persons of eight women and some children, who emerged from their hiding-places (where in fact the poor creatures were not concealed) on being assured of personal safety, and were detained prisoners until the termination of the fray. It is however very probable that more men were killed in the river and floated down with the stream. Notwithstanding the care which was taken not to injure the women during the skirmish, it cannot appear surprising that one, and several children were killed, and one woman amongst the prisoners had received a ball through the thigh. On finding the women were spared, and understanding the orders repeatedly issued to that effect, many of the men cried out they were of the other sex – but evidence to the contrary was too strong to admit the plea.

As it appeared by this time that sufficient punishment had been inflicted on this warlike and sanguinary tribe by the destruction of about half of its male population, and amongst whom were recognized, on personal examination, 15 very old and desperate offenders, the bugle sounded to cease firing, and the divided party reassembled at the ford, where the baggage had been left in charge of four soldiers, who were also to maintain the post. Here Capt. Ellis had arrived, badly wounded in the right temple, by a spear at 3 or 4 yards distance, which knocked him off his horse, and P. Heffron, a constable of the Police, had received a bad spear wound above the right elbow. No surgical aid being at hand, it was not without some little difficulty the spear was extracted, and it then proved to be barbed to the distance of five inches from the point.

Having re-crossed the river in good order, with the baggage on three horses, the whole party formed a junction on the left bank, fully expecting the natives would return in stronger force – but in this were disappointed. After a consultation over the prisoners, it was resolved to set them free, for the purpose of fully explaining to the remnant of the tribe the cause of the chastisement which had been inflicted, and to bear a message to the effect that “if they again offered to spear white men or their cattle, or to revenge in any way the punishment which had just been inflicted on them for their numerous murders and outrages, four times the present number of men would proceed amongst them and destroy every man, woman and child.” This was perfectly understood by the captives, and they were glad to depart even under such an assurance; - nor did several of their number, who were the widows, mothers and daughters of notorious offenders shot that day, evince any stronger feeling on the occasion that what arose out of their anxiety to keep themselves warm.²⁵

In a letter to the British authorities, Stirling wrote of the incident:

The natives very resolutely stood their ground, as I am informed, and threw a volley of spears, by which Captain Ellis was wounded in the head, and one of his men in the right arm, and another was unhorsed, stunned, and dismounted by the blow, and having his horse speared. Captain Ellis' party was thus put into great peril, but at this critical moment, the men with me in position, and commenced firing, and threw the natives into confusion, they fled to a ford about 100 yards, below the other, but being headed then, by the Corporal's party, they were forced back into the bed of the stream. The upper ford being also occupied by Mr Roe, as well as the two banks they were thus completely surrounded and overpowered, the number killed amounted probably to 15 men. The women were kept, until after our company had been collected round the two wounded men, they were then informed that the punishment had been inflicted, because of the misconduct of the tribe, that the white men never forgot to punish murder, and that on this occasion the women and children had been spared, but that if any other person should be killed by them, not one would be allowed to remain alive

²⁵ *Perth Gazette*, 1/11/1834, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

this side of the mountains. Upon this they were dismissed, and after a long march, we succeeded in getting the wounded men back to the station. I trust Captain Ellis' wound will not prove to be of serious import to him, and beg leave to state that I cannot too much commend his conduct, on the occasion, as well as that of all the persons engaged in this skirmish.²⁶

The accounts of the eyewitness and Roe clearly stated that Ellis' party initiated the attack against the retreating Nyungars. The eyewitness account also conveys the unpreparedness of the Nyungars, describing how they 'started on their feet' when they noticed the party approaching. On the other hand, Stirling's account suggests that he and his men acted in self-defence.

The eyewitness also commented that the noise of the Nyungars under attack from Ellis' party were 'sufficient signal' for Stirling's party to join in the attack. The wording of this account supports the notion that the event was a well-conceived ambush.

Further to this, it has also been suggested that the charge by Ellis and his soldiers prompted the remainder of the Nyungars to race toward the river in the hope that they could cross it and seek refuge in the hills. However, Stirling and the Corporals' parties were positioned strategically along the eastern bank of the river. As the Nyungars attempted to slide down into the river, the parties on the eastern bank opened fire. Some Nyungars would have died as they approached the river, others shot as they attempted to swim to safety, and still others shot as they reached the shallow waters of the ford. Other survivors scattered into the bush and were chased by Stirling's horseman: 'the firing continuing and following the retreating voices of the natives for upwards of an hour'.²⁷

The Europeans sustained only two injuries. Corporal Heffron was wounded in the arm by a spear. He was given treatment immediately and went on to recover fully. Ellis, who it has been claimed had already sustained head injuries in an earlier skirmish, received concussion from either a spear blow or a fall from his horse. On the return journey Ellis was 'operated on' by a private who had little medical experience. He stayed in a coma for two weeks and died of his injuries on 14 November. Ellis was branded a hero and received a full military honours and burial. Today, his name appears on a monument outside the Police Headquarters in Perth.

The actual number of Nyungars killed has been the most contested 'fact' relating to the massacre. As we have seen, Stirling's official report to Britain stated that 15 Nyungar men were killed in the 'exchange'. This contrasted with Roe's estimate of between 15 and 20 dead (based on the reports of others in the midst of the action), and the eyewitness account that more than 30 people had died.

Two weeks after the incident, on 11 November, Stirling sent Captain Daniell, Norcott, Lieutenant Armstrong, Peel and ten men of the 21st Regiment to review the scene. They examined the area where the confrontation had taken place. Norcott's account offered these details:

On arriving at Pinjarra, they found that the bodies of the natives who were killed, were all decently interred, in one spot there being three graves of large dimensions, about twelve feet each in length, supposed to contain the members of separate families, and at a short distance from them were the graves of thirteen men. The party was unable to reach the quarter where the heaviest firing took place, owing to the brooks being much swollen from the incessant rains, but it was generally believed, that in this spot, also, there were several graves, - and but one opinion prevails, that, during the night

²⁶ Governor Stirling. Government despatches to the Colonial Office, Sept. 1834 - Dec. 1838, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

²⁷ Roe, J. S., Field Book No. 3, 1834 - 1838, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

after the encounter, the natives returned and buried their dead, in the manner we have described.²⁸

In April 1835, Peel recorded a statement about the Pinjarra massacre, which was made by two young Aboriginal men named as Ninda and Dollion.²⁹ From this, Peel reported that a total of eight males and six females, at least one of whom was only a girl (Baywup) had been killed. Subsequent accounts suggested that considerably more Aboriginal people were killed, however the Colonial Government and friends of the officials who took part in the incident usually hotly refuted this.³⁰

Stirling implied in his account to Britain that there had been no women and children killed in the massacre. However, the *Perth Gazette* eyewitness stated that at least one woman and several children were killed, and Ninda and Dollion said five women and one child were killed. Furthermore, Stirling's statement that 15 'very old and desperate offenders' had been killed was obviously false. Ninda and Dollion stated that only two of the twenty or so men wanted by Stirling's party in connection with the 'crimes' against the Europeans were killed in the massacre. Indeed, most of the remaining warriors reappeared in historical writings after the massacre.³¹

From the written accounts of the massacre, there is clearly reason to doubt that the majority of the warriors were present on that fatal morning. Nyungar oral history validates this doubt. There is a unanimous belief amongst the Nyungar community that most of the men were in fact elsewhere on the morning of the massacre. In other words, Stirling and his party attacked a group that was largely made up of women, children and older men. Early accounts suggest that the Nyungar men who were at the camp attempted to present a defence to Captain Ellis' charging party while the women and children fled into the river and up the eastern bank.

Roe stated in his account that the party ceased firing upon the Nyungars only when 'it was considered that the punishment of the tribe for the numerous murders it had committed was sufficiently exemplary'.³² Eight women and several children were also taken prisoner after the Pinjarra Massacre. After some deliberation, the party set them free, primarily, it seems, with a view to explaining the purpose of the attack as a form of punishment on the tribe for the murder of the two settlers.

A number of the European settlers saw the actions on the morning of 28 October as just and necessary. As evidenced in the *Perth Gazette* on 1 November 1834, many also congratulated Stirling on the 'sober' and 'mature' way in which he and his forces acted. Perhaps as a result of these accolades, Stirling found it easy to take full responsibility for the attack. He was quoted by the *Perth Gazette* as saying:

No one can feel more sensibly than I do, having to perform such a duty, but it was necessary for the protection of those under my charge, and I am therefore glad that I

28 *Perth Gazette*, 22/1/1835, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

29 Thomas Peel to Governor Stirling, 1/4/1835, CSO Vol. 38 (188-192), cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

30 For a discussion of the various accounts see pages 31 to 37 of the 1998 Report. It should be noted that it was reported in the *Perth Herald* on 27 June 1868 that as many as 200 to 300 Aboriginal people were shot. (*Perth Herald*, 27/6/1868, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.)

31 Hallam & Tilbrook, op. cit., cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

32 Roe, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

was present. I can now take all the responsibility upon myself, instead of it resting upon others.³³

Other colonial administrators shared this idea that it was necessary, indeed a responsibility of colonial leaders, to use military force against Nyungars 'for the common good' of European interests.

The attack on Nyungars at Pinjarra did not immediately allay the fears of the colonists. The concern persisted that the Bindjareb Nyungars might collectively act against Europeans. This is evidenced in a letter from Peel to Stirling in April 1834:

My own conviction is that no security can be or ought to be placed either on life or property until the leading men at least are destroyed of this desperate gang of Natives.³⁴

The insecurity of the settlers was further demonstrated in an article in the *Perth Gazette*, which reported a rumour that:

A strong party of the Murray River and adjoining tribes were on their way to this quarter to spear the "soldiermen"... We should suspect that something is afloat, although we receive intelligence from such a quarter with great suspicion... It has just been intimated to us, that a corporal and four privates from the 21st regt were dispatched to Kelmscott, at the head of the Canning River, to reinforce the detachment there, the instant the communication was made to the Governor that an attack was in contemplation.³⁵

Five months after the massacre, Migo, a member of the Swan tribe, conveyed to Norcott (now Superintendent of the Natives) that the Bindjareb Nyungars were 'anxious to seek a reconciliation'.³⁶ With Swan River Nyungars Munday and Miago acting as interpreters, the group was invited to meet Stirling in Perth. What might be called a peace conference was held in Perth in March 1835:

The proposal from the Murray men, as conveyed by Migo, is, that an emissary...shall wait upon the Governor, confiding a pledge of security, and shall receive His Excellency's sanction for the introduction of his tribe, when the whole will be assembled, and will present themselves before him, soliciting his future favour and consideration.³⁷

It seems, then, that the peace conference consisted of Bindjareb Nyungars pledging their support for the British Government. Precisely what the colonists offered in return, beyond some forty or fifty loaves of bread (as stated in the *Perth Gazette*) is not entirely clear.³⁸

A year after the massacre, the *Perth Gazette* published the following information about the Murray area:

[Persons have been examining the Murray River area] with a view to forming establishments in that quarter... Thomas Peel, Esq. is said to have some splendid and extensive tracts of land on this portion of the river, and beyond this extend some valuable grants, which the fortunate holders, it is hoped, will soon bring under cultivation.³⁹

The Pinjarra Massacre ultimately quelled the resistance of the Bindjareb Nyungars to the invasion of their land by the European settlers. They had lost

33 *Perth Gazette*, 11/4/1835, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

34 Thomas Peel to Governor Stirling, April 1834, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

35 *Perth Gazette*, 13/12/1834, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

36 *Perth Gazette*, 28/3/1835, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

37 Ibid.

38 Ibid.

39 *Perth Gazette*, 31/10/1835, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

family and land, the most central aspects of their existence. The subsequent arrival of farmers, and the encroachment of foreign stock onto Nyungar land had a desperate impact on the Nyungar economy.

With most of Nesbit's killers still at large, Gcalyut and his allies continued guerrilla attacks and 'theft' on property the Europeans now saw as theirs. Following the attack at Pinjarra, Peel's well-stocked store sheds were burned, with witnesses claiming that those responsible were Gcalyut and others who had been involved in the attack of Nesbit and Barron. Gcalyut organized the survivors and attempted to repel the raids of neighbouring Nyungars who, it was reported, were eager to kidnap women left widowed by Stirling's actions.⁴⁰ Not only did Bindjareb Nyungars repel other invading groups but were also able to mount successful reprisal attacks on Perth Nyungars in the years to follow.

According to Lieutenant Bunbury, Gcalyut continued to 'show himself hostile' to the settlers in the years following the massacre.⁴¹ Some of the younger generation, including Gcalyut's son Monang, became quite involved with the newcomers. Indeed, Monang, some of his counterparts, and those who came after, were to contribute in a variety of ways to the development of the area into what it is today. Monang and Denmar, both involved in the murder of Nesbit, and originally on the list of 'wanted' Nyungar men, in fact became the first 'native' policemen at Pinjarra in 1838. Monang developed a close association with Bunbury, and would accompany him on his expeditions.⁴²

While the attack did not immediately allay the fears of the settlers, in 1836 a military post was erected near the site of the massacre, and half a dozen settlers subsequently moved into the Murray area. As Stirling had hoped, the developing town of Pinjarra became an important centre linking the Perth colony with the southwest. The Bindjareb Nyungars were deeply affected by the massacre, having lost both family and homeland. However, those who remained survived and adapted to the presence of the settlers.

Throughout the last one hundred years or so, friendships were fostered between many of the older European and Nyungar families. Nyungar women helped 'rear up' children of some of the more established European families. According to interviews in the 1970s, the Sutton, Hall and Cooper families had a deep respect, real understanding and genuine affection for Bindjareb Nyungars. It is recorded that this respect was often shared by some of the old Nyungars. It is also recorded that the Paterson, McLarty and Fawcett families 'remained kindly disposed towards' local Nyungars.

The Murray Districts Aboriginal Association (MDAA), begun in the 1960s, was incorporated in September 1973. The Association was developed to represent the interests of the local Nyungar community. Mr Oscar Little was President of MDAA, and, with other prominent local Nyungar people, began work toward the recognition of the Pinjarra Massacre. In the mid 1980s, following the death of Mr Little, Theo Kearing became Chairperson of MDAA and became dedicated to fighting for recognition of the massacre. In the role of Coordinator, he continued the campaign until his death in February of 1998. The majority of what has been achieved in terms of recognition of the massacre is a result of the unwavering

40 *Perth Gazette*, 22/11/1834, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

41 W. St. P. Bunbury & W. P. Morrell (eds.), *Early Days in Western Australia Bring the Letters and Journals of Lieut. H. W. Bunbury, 21st Fusiliers*, Oxford University, London, 1930, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

42 Ibid.

vision and continued commitment to the cause by the MDAA and its leaders, most particularly by Mr Kearing.

A commemorative wooden plaque was nailed to a large jarrah tree near the riverbank in what is now known as the Pinjarra Massacre Memorial Area. There were reports that the plaque was stolen and the tree set on fire. Only the nail-holes where the plaque was attached to the tree now remain.⁴³

In June 1985, through research conducted by Rory O'Connor for the Western Australian Museum, assisted by Lorna Little and in consultation with Oscar Little and Ernestine Little, the site of the 'Battle of Pinjarra' was registered with the Western Australian Aboriginal Sites Department, then part of the WA Museum.

In July 1985, a report by O'Connor, Bodney and Little stated: 'It is the opinion of the researchers that the Battle of Pinjarra site is of great importance and significance to local Aboriginal people and that it is also an important historical area'.⁴⁴

In 1986/7, Mr Reynolds worked with Theo Kearing and others of the Murray Districts Aboriginal Association (MDAA) to develop a proposal for a monument to the massacre at the Massacre Memorial Area.⁴⁵ Despite support from the Bicentennial funding committee, the Murray Shire Council refused its support and the plans were unable to go ahead. For the ensuing ten years, Mr Theo Kearing campaigned for the erection of a monument to the massacre, but lack of support from local councillors continued to be a significant obstacle.

In 1991, on Back to Pinjarra Day, the first remembrance ceremony for the Pinjarra Massacre was held at the Massacre Memorial Area, initiated by Mr Theo Kearing and his wife Mrs Gloria Kearing. Theo's vision and commitment to the recognition of the massacre saw the day of remembrance become an annual event.

The play 'Bindjareb Pinjarra' was developed in 1994 by Kelton Pell and Trevor Parfitt, (Nyungars) and Geoff Kelso and Phil Thompson (Europeans). The four men sought to challenge Wadjella accounts of the 'Battle of Pinjarra' as presented in history books.

In 1995, a historical training and research project 'Nidja Boodjar Bindjareb Nyungar Kura, Yeye, Boorda' The Gcalyut Research and Training Project was initiated. It involved trainees researching, amongst other things, 'the Battle/Massacre of Pinjarra, and all relevant details prior to and after this incident'.⁴⁶ The project included a comprehensive search of the Battye Library for material relating to the massacre. Their written examination of the historical records on the massacre was the first to be carried out by Nyungar authors. Examining historical writings from a Nyungar perspective, and simultaneously armed with understandings of the Nyungar oral histories of the incident, the authors challenged a number of assumptions made by non-Indigenous writers about the massacre.

With plans to re-develop the Murray Districts Hospital, Mr Mark Manea and Mr Richard Walley were commissioned in 1996 to provide a report on the

43 O'Connor, R., Bodney, C. & Little, L., 'Preliminary Report on the Survey of Aboriginal Areas of Significance in the Perth Metropolitan and Murray River Regions, Aboriginal Sites Department, Perth, 1985, p. 116, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

44 O'Connor, et. al., op. cit., cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

45 Pers. comm. 1997, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

46 Collard, L. & Palmer, D., "*Nidja Boodjar Bindjareb Nyungar Kura, Yeye, Boorda*" *The Gcalyut Research and Training Project*, South Metropolitan Youth Link, Fremantle, 1996, p. 5, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

significance of the hospital site to the Nyungar community. The most significant recommendation from this report was that the portion of land 'lying south of a point opposite to the intersection of Padbury and MacLarty Roads be excised' and vested with the MDAA.⁴⁷

The 1994 Pinjarra Townscape Study specified that Aboriginal Heritage was one of four central tourist attractions in Pinjarra, and in particular, the 'Battle of Pinjarra' was nominated a key feature.⁴⁸ The Pinjarra Heritage Precinct Planning Study in 1996 reiterated this conclusion.⁴⁹

In mid-1997, MDAA was successful in attracting funding from the Australian Heritage Commission for Stage 1 of the Pinjarra Massacre Site Project, which resulted in a written report. The project was coordinated by Theo Kearing and the MDAA Committee – which included Pinjarra Elders Lesley Morrison, Phyllis Kelly and Paul Morrison, and supported by Regional Elders Joe Walley and Frank Nannup. Stage 1 of the project aimed to search for the graves of those who died in the massacre, to pinpoint more accurately where the massacre happened, and to draw together oral and written histories of the event. The information contained in this Register is drawn primarily from the outcomes of Stage 1 (as documented in the report). The second part to the Massacre Site Project would be the development of the Memorial Area, including the construction of a monument.

At the same time as the research for stage one was being conducted, MDAA began developing plans for the Memorial Area. A design for the monument and the layout of the Memorial Area had been agreed upon by the local Nyungar community when, after over ten years of work toward recognition of the massacre, Theo Kearing died suddenly in February 1998.

The MDAA Committee kept the vision alive, and some time later work on Stage 2 of the Massacre Site Project resumed. Local community bodies have expressed their recognition of the importance of the Pinjarra Massacre, and their support for the Massacre Site Project. They include the Shire of Murray and the Peel Development Commission (as mentioned previously), as well as the Pinjarra Tourist Centre, the Alcoa-Murray Library, the local Anglican, Uniting and Alliance Churches, several of the local schools, and Alcoa of Australia (Pinjarra). Letters of support for the project were received from high profile people across the nation, including Michael Dodson, Sir Ronald Wilson, Kim Beazley and Ian Viner, QC. National bodies such as the Australian Heritage Commission have also formalised their support for the project in writing.

In June 1999, DOLA officially named Reserve 31032 'Battle of Pinjarra Memorial Park'.⁵⁰ Also in that year, the MDAA, led by Chairperson Lesley Morrison, was awarded Centenary of Federation Funding to build the monument, and the Shire finally approved the plans. It was intended that locals, and Nyungars with associations with Pinjarra, would work together to create four mosaics for the monument that will in turn tell the story of life before the invasion, the coming of the British, the Pinjarra Massacre, and the future of hope and reconciliation.

47 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

48 Donaldson Smith & Hooke Thompson Palmer, *Pinjarra Townscape Study*, Perth: Urban Thresholds: 1994, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

49 Sheryl Chaffer & Associates and Heritage & Conservation Professionals *Pinjarra Heritage Precinct Planning Study*, report for Shire of Murray, 1996, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

50 Geographic Names Section, DOLA.

Construction began in 2000, with support from the Community Arts Network and members of the community enrolled in a course at the South Metro TAFE, working to build the structure. The monument was opened by then Governor Lt. General Sanderson in 2001 but signage was not erected, as there was dispute between various parties over the wording. Discussions regarding the wording of the proposed plaque, or plaques, were still ongoing in 2005.

13.2 PHYSICAL EVIDENCE

Archaeological Evidence

A key purpose of the 1998 Pinjarra Massacre Site Report was to attempt to identify sites associated with the Pinjarra Massacre, and in particular, sites where the victims of the Pinjarra Massacre were buried. (It should also be noted that two likely areas where the ambush of the Nyungar camp may have occurred were identified. The first is the place where Oakley Brook meets the Murray River; the second, the 'Marron Place' – near Polly Island.)

At the outset of the research, the precise locations of these graves were not known. Indeed, the exact location of the camp where the Bindjareb Nyungars were ambushed by Stirling's party was unclear.

There is evidence of at least one mass grave located in close vicinity to the junction where Oakley Brook meets the Murray River. Other information has pointed to the location of graves in areas at some distance from this point.

Evidence includes physical remnants from the massacre, such as human skeletons, musket balls, and possibly fighting axes. Nyungar and Wadjella oral histories, and powerful spiritual experiences by Nyungars also point to particular areas. (Map 5 in the Report illustrates the location of the evidence detailed below.) The details of previous evidence is as follows:

Skeleton 1: An Aboriginal male, approximately 19 years of age, killed by a musket ball. These were discovered by Stan White in 1922/23. The musket ball along with a metal military badge, thought to have been unearthed near the location of a soldiers camp at the Battle of Pinjarra, was lodged at the archives by Mrs M.A. White of Pinjarra c. 1951.

Skeleton 2: An Aboriginal male, aged between 30 and 45 years, with a musket ball lodged in the chest cavity discovered in 1946/7 by Mr Peter Harries.

Skeletons 3 & 4: It was reported from several reliable members of the Pinjarra community that two children (named Simpson) found two skeletons at the base of a huge bluegum tree at the edge of Oakley Brook. Informants guessed that the discovery was made around the 1940s. It is not certain whether they were victims of the Pinjarra Massacre, or had been buried at an earlier or later time.

Skeleton 5: Another skeleton was reportedly found by the Simpson children beside a pump along the Murray River. As in the previous case, it can be assumed that the skeleton was of an Aboriginal person, but it is not certain whether the person was a victim of the Pinjarra Massacre.

Skeleton 6: Theo Kearing relayed that in the 1970s, he was digging a grave in Pinjarra cemetery when he came across a leg bone. It can be assumed that the skeleton was most likely Aboriginal, but it may or may not have been from the Pinjarra Massacre.

Other physical remnants include: musket balls, found with two of the skeletons along the banks of the Murray River; a soldier's badge (metal military badge mentioned previously); and, two axes discovered by different people at different times c. 1910.

In addition to the physical evidence that has been uncovered over the years, indigenous oral history points to particular locations of the Pinjarra Massacre. This oral history is based on stories that have been passed down from generation to generation, as well as strong spiritual experiences in certain areas along the river. Such locations which have been identified include: the Blythewood Burial Mound and surrounds; the 'Marron Place' and surrounds; the Pear Tree Site; and, Blackwater.

Murray Districts Aboriginal Association commissioned Vern Wilson from the Department of Exploration Geophysics at Curtin University of Technology, to spend five days surveying sites identified as likely to contain burials from the Pinjarra Massacre. Mr Wilson used Ground Penetrating Radar (GPR) to conduct the surveys of six areas, which had been identified, as the location of previous physical evidence mentioned above.⁵¹

After analysing the data from Phase 1 of the survey (12-16 January 1998), the consultant concluded the GPR survey revealed many locations where the ground has apparently been disturbed by digging, and possibly due to burial. It was also recommended that selected targets from these surveys, representing the various GPR signatures evident from the data, should be professionally examined at depth to determine their source. Wilson further examined the data and prioritized several anomalies within each area. Sites were not selected for excavation at the cemetery because it was felt that this would be inappropriate, particularly due to the exploratory nature of the excavation.

Monique Pasqua, Consulting Archaeologist, spent six days excavating sites from March 16-21, 1998, and a further seven days from 30 March to 5 April 1998. Wilson further analysed the GPR data, incorporating the findings from each excavated site, to assist in prioritising future sites for excavation.

As a result of these archaeological investigations no human burials were located. However, an isolated finding of a silcrete core⁵² and half a river cobble assumed to be a manuport or possibly a hammer stone/grindstone⁵³ were found at Blythewood Burial Mound, and an object identified as leather strapping or rubber was located near the area where two skeletons were found.⁵⁴

The application of archaeological methods to investigate GPR identified anomalies demonstrated that sub-surface features in the project areas could not reliably be assumed to be burials. It was concluded that the application of GPR to survey riverine sediments and locate potential burial sites did not provide results capable of discriminating between burial sites and anomalies caused by other natural features (e.g. tree roots or stratigraphic variations). After discussions between Wilson and Pasqua about the effectiveness of GPR in the Pinjarra environment, it was decided to use metal detectors to survey the length of the Murray River in the areas where the massacre is considered most likely to have occurred.

51 It should be noted that major floods have occurred in Pinjarra in 1841, 1847, 1849, 1862, 1945 and 1955. This is likely to have caused much disturbance to those areas close to the river banks.

52 The 'silcrete core' would have been the by-product left over after Nyungars had 'knapped' the stone to create flakes for tools such as spear heads. Although the core could not be dated, its discovery signifies traditional Aboriginal presence in the area. Note that in terms of the Aboriginal Heritage Act, an isolated find is not sufficient to consider the area a manufacture site. However it is possible that the area may have been such a site.

53 The cobble was of metamorphosed dolerite and had been vertically fractured. It may have been a grinding or hammer stone, or a 'manuport' – transported and deposited there by the Nyungars but not used by them as a tool. Either way, the finding again indicated the undeniable presence of the Indigenous population in the area.

54 The origin of this artifact was not able to be identified.

Many metallic objects were discovered, but most did not relate to the massacre. However, three musket balls (one intact, two misshapen from firing) were located in an area just south of the Pinjarra Massacre Memorial Area in the area where an early settlers' cottage once stood (probably erected in the 1840s). The musket balls were found in different locations several metres from the remnant bricks. The intact musket ball was 0.61 inches in diameter. The original sizes of the other two musket balls were indeterminable, due to being badly misshapen, but because of their proximity it is considered likely that they were fired from the same weapon. The intact musket ball was compared with current day musket balls used in Baker Rifles (identical to those used when the Baker Rifle was used by the military) and found to be a perfect match. It can be concluded with certainty that this musket ball was therefore from a Baker Rifle. Settlers would almost certainly have had private guns or rifles in the days after the massacre when Pinjarra was being settled, and may have had access to Baker Rifles. However, the presence of the misshapen musket balls brings into question the possibility that they appeared after the cottage was erected, because it is unlikely that they would have been fired so close to a dwelling. The most likely explanation is that they are from the massacre. If the musket balls are indeed from the massacre, then the one confirmed to be from the Baker Rifle (and possibly the other two as well) would have been fired by a soldier of the 21st Regiment.

The finding of several musket balls near to the Pinjarra Massacre Memorial Area was considered significant. These musket balls are currently in the possession of the Murray Districts Aboriginal Association and will be displayed at the proposed Memorial Area when it is completed.

In conclusion, the most significant evidence was confirmation of the finding of two Aboriginal male skeletons uncovered in the early part of this century on the southern bank of the Murray River, just west of the junction with Oakley Brook. These skeletons were almost certainly victims of the Pinjarra Massacre. While the skeletons were removed upon discovery, the location where the two skeletons were found can be considered a burial site from the massacre. Three other burial sites were identified in the general area in which the massacre is believed to have occurred. While those buried may not have been victims of the Pinjarra Massacre, they were almost certainly early Bindjareb Nyungars. As such, the burial sites (although no longer containing human remains) are highly significant to the Nyungar community. In addition, three other sites, the 'Blythewood Burial Mound', the 'Pear Tree Site' and 'Blackwater' are considered possible burial sites and should be treated with respect accordingly.⁵⁵

At the time of the archaeological investigations, which occurred as part of the 1998 report, it was recommended that further excavations would prove useful for examining anomalies identified by the GPR and metal detecting equipment.

It should be noted that the confirmed burial site from the massacre is located on private property, as are the other possible burial sites (with the exception of the site located within the Pinjarra cemetery). Indeed, much of the area within the boundary identified in Aboriginal Sites Department's Significant Sites File for this place is privately owned.

13.3 COMPARATIVE INFORMATION

⁵⁵ Oral histories suggest that a further two bodies may be located in the vicinity of a water hole on the corner of Hampton and Greenland Roads. (Conversation between Beatrice Laufer and Lesley Morrison, 4 June 2001)

It seems that almost every Aboriginal Elder has knowledge of a massacre, or massacres, that occurred in their region. In each case, the massacres were the end result of a chain of events/conflicts between European and Aboriginal peoples.

Several documented massacres occurred in Western Australia, with the Pinjarra Massacre (1834) being the earliest. Others include Maitland Brown's expedition (1864), King Sound (1890s), Onmalmeri (1826) and Forrest River (1926).⁵⁶

However, it is likely that there other undocumented massacres which also occurred in the colony/state. For instance, Busselton Elder George Webb spoke of several massacres in this area, including one at Lake Cave in the Boranup area (Leeuwin-Naturaliste National Park). He said that this came as a result of a white settler having stolen a Nyungar's wife, and then refusing to return her. For this, the Aboriginal man killed the settler. Outraged, fellow settlers converged on the Nyungar tribe and killed many of them. Mr Webb also spoke of other massacres, farther afield, such as a massacre at Lake Jasper. (This coincides with reports that a group of settlers killed a number of Aboriginal families at Lake Mininup.⁵⁷

At a meeting of the Metropolitan Nyoongar Council of Elders, where the Pinjarra Massacre Site Project was discussed, Elders reiterated that there had been other massacres in Western Australia. Elder Everett Kickett commented that people wonder why there are no Aboriginal people living in the town of Denmark. The reason, he said, is that there was a massacre there.

Other Elders, including Mervin Abraham and Hazel Woods, spoke of a massacre at Ravensthorpe. Mrs Woods recounted how her grandmother's people had been massacred there. She said that a chap called John Dunn had been raping the Aboriginal girls, and the Aboriginal community had retaliated by killing him. The white settlers responded by slaughtering many of the tribe on 18 October 1880. Her grandmother was one of the lucky ones, who managed to get away.

Elder Mort Hanson spoke of massacres of Aboriginal people around the Swan River, as well as rape and other atrocities committed by the white settlers. He pointed out that these events were followed in subsequent years by the removal of Aboriginal children to places like Mogumber, Roelands and Maribank Missions, where again, Aboriginal people suffered dreadfully at the hands of the invaders. The National Inquiry into the separation of Aboriginal and Torres Strait Islander children from their families (1997) confirmed that this was a continuing act of genocide, if in a different guise to the bloody massacres that had preceded the removal of children.

Elders Chris Jackamarra and Shirley Thorne also maintain that there was a massacre of Aboriginal people in their hometown of Toodyay.⁵⁸

Massacres of Aboriginal people have occurred across Australia, from the late 1700s to the early decades of the 1900s. In his book, *Blood on the Wattle: Massacres and Maltreatment of Australian Aborigines since*), Bruce Elder provides a details of a number of massacres throughout Australia:

Tasmania - multiple; beginning in the late 1700s;

56 Elder, Bruce, *Blood on the Wattle: Massacres and Maltreatment of Australian Aborigines since 1788* Child & Associates, NSW, 1988, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

57 Richards, *The Murray District*, p. 117, cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

58 As cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.

New South Wales - multiple; including, Parramatta (1795), Richmond Hill (1805), Hawkesbury River (1816), Bluff Rock (1844), Ballina (1846);

Victoria - including Glenormiston Station (1840), Ninety Mile Beach (1843), Snowy River (1846);

Queensland - including Kilcoy Station (1850s), Cockatoo (1857), Planet Creek (1861), Bentinck Island (1911);

Northern Territory - including Hodgson Downs (1880s/1890s), Roper River (1890s), Cockatoo Creek (1928);

South Australia – including Coorong (1840), Wardamba (1880s), Simpson Desert (1880s/1890s), Clifton Hills (1890s).⁵⁹

13. 4 REFERENCES

'Pinjarra Massacre Site Research and Development Project: Report for Stage 1', prepared by Natalie Contos, in conjunction with Theo A. Kearing, Murray Districts Aboriginal Association and Len Collard and Dave Palmer, June 1998.

13. 5 FURTHER RESEARCH

⁵⁹ Elder, *Blood on the Wattle...*, as cited in 'Pinjarra Massacre Site: Report for Stage 1', op. cit.