**Native Affairs Branch**

 **25th July, 1952**

**Memorandum to : District Superintendent**

**Investigations re Alleged Murder in Vicinity Melville Bay**

 In accordance with your instructions of 4th

June, 1952, I co-operated with Constable Raabe of the Northern

Territory Police Force during his investigations into the

alleged murder of a native woman in the area west of Melville

Bay. I accompanied the Constable to Port Bradshaw where he

apprehended two female aborigines for questioning, and also on

his three patrols to the alleged scene of the crime, and

assisted him in his search for the body. I was present at the

questionings of all natives concerned and the following appears

to be the Story.

 In about the middle of March this year a

party of about thirty natives were returning to Yirrkala Mission

from Cato River after an absence of six months or so. Three

days before arriving at the Mission they camped in the hilly

country to the west of Melville Bay. The next morning and

during some of the afternoon they hunted out from the camp, re-

turning there at about 3pm. When they broke camp they

commenced travelling in small groups in a south-easterly

direction.

 One of the groups consisted of one male aborigine,

NAGAIYA, four female aborigines, NGOWA, YAKAYAK, BANGBOI and

NGOIKNGOIK and two children. NGOIK NGOIK who was almost blind

and suffering from fever (probably malaria) had to be led by one

of the other natives. She was unable to keep up with the rest of

the party and when she complained of being tired and sick she was

left behind to rest in the care of BANGBOI. NAGAIYA, NGOWA,

YAKAYAK and the two children continued travelling. They had gone

for about another two miles when BANGBOI caught up with them

saying she had not been able to persuade NGOIK NGOIK to con-

tinue travelling, so she had left her behind.

 NAGAIYA then went back to get the sick lubra. He

took with him a shovel nose spear and a woomera. When he found

NGOIK NGOIK she was sitting in the same place as he had left her.

He shook NGOIK NGOIK saying 'Wake up they have all gone away'.

 She told him she did not feel well but he still

tried to get her to come along saying 'Come on, there is no

one with us, I am a little bit frightened because it is nearly

sunset'.

 She swore at him and he then stabbed her once in

the right shoulder, holding the spear near the blade and using it

as a knife. The point did not penetrate but the blade of the

spear caused a fairly deep wound at the junction of the shoulder

and the neck.

 She screamed and continued swearing at him as he

left her and continued back to the other lubras.

 NAGAIYA told NGOWA what had happened and NGOWA

then returned to find NGOIK NGOIK. She found her alive where

NAGAIYA had left her. NGOWA then struck NGOIK NGOIK across the

shoulder and back with a stick about three feet long and about

two and a half inches in diameter. She left NGOIK NGOIK still

alive, and returned to get YAKAYAK saying to her 'I could not

find NGOIK NGOIK, more better you come with me YAKAYAK and we look

together. Might be she lost'.

 As they proceeded back towards NGOIK NGOIK,

NGOWA tried to lead YAKAYAK in a direction so as to miss

the body. YAKAYAK would not be lead however and followed

the native track. She was by herself when she came upon

the body of NGOIK NGOIK near the native track. She could

see where the body had been dragged for about ten yards

from the track and there was a cut on the right shoulder

and much blood on the back and head. There was also a

lot of blood on the grass and on a stone and stick which

she assumed had been used in the attack upon NGOIK NGOIK.

She believed NGOIK NGOIK was dead and she was very frightened

as she hastened back to the camp. NGOWA joined her before

she reached the camp but she did not tell NGOWA nor anyone

else what she had seen, believing that if she did, her life

would be in jeopardy.

 By this time it was dark and NAGAIYA, NGOWA,

YAKAYAK, BANGBOID and the two children continued on about

two miles where they joined the rest of the group and

camped for the night.

 The party of natives continued on to Yirrkala

Mission arriving there two days later, which was approximately

the 18th March, 1952.

 Four trips were made to the vicinity of the

alleged murder and on each occasion a fairly extensive

search was made for the remains of NGOIK NGOIK. On the

last patrol, Constable Raabe and myself were taken by

YAKAYAK to the place where she had last seen the body.

Nothing was found there however, but several bones were found

about half a mile east of this spot and three vertebrae

were found in a bower bird's nest on a cliff edge about

three hundred yards north of this spot. These bones have

been sent to the Darwin Hospital for identification, and

Constable Raabe has told me it is now very doubtful

whether these bones are those of a human being. It could

be seen where sheets of bark about ten feet long had been

removed from two stringy bark trees of about twelve inch

diameter within a hundred yards of the place shown to us by

YAKAYAK. It has been suggested that the body may have

been removed by natives travelling from Yirrkala Mission

to Arnhem Bay, which is the burial ground for many natives of

this district. It must also be remembered that this area

was ravaged by a hundred mile an hour cyclone from the 2nd

to the 5th April, 1952, and during this time about sixteen

inches of rain were recorded. This, together with the

help of dingoes, wild cats, hawks and other carion, could

have caused any remains to be scattered far and wide during

the three months since the murder was alleged to have

taken place.

**Motives**

 Three possible motives for murder have been

suggested by these investigations The first on by the

male suspect NAGAIYA. The majority of the group travelling

to the Mission were apparently suffering from malaria, which

is quite prevalent in the Yirrkala area. Among these

sufferers were NGOIK NGOIK and NAGAIYA. NGOIK NGOIK must

have been very ill as she was complaining of aching all

over her body and she could not travel far without resting.

It is known that she was suffering from defective eyesight

to such an extent as to necessitate her being led. Up to

the time of the alleged murder there had been very little

rain in the district, and surface water was scarce. The

natives could not rely on the small springs from which they

usually managed to get their water, and were travelling with

haste to reach a permanent fresh water creek.

 When BANGBOI came up with the message that NGOIK

NGOIK was still resting behind NAGAIYA, who was also sick,

went back. He tried to induce her to travel and when

she swore at him he speared her. His reasons for spearing

her were :

 1. It was nearly sunset and he was getting frightened

 that he would have to travel in the dark.

 2. He was always carrying her and he was getting

 tired of her.

 3. He was wild because when she swore at him he

 said something which no native woman is permitted

 to say to a man.

 The second motive, jealously, would probably apply

more to NGOWA than to NAGAIYA. NGOIK NGOIK and NAGAIYA

were husband and wife. NAGAIYA is the son of old man of the

tribe, WONGU, and NGOWA is one of WONGU's many wives. NGOWA

is therefore NAGAIYA's step-mother as well as his paramour.

The amorous relationship between NGOWA and NAGAIYA was by no

means a secret, and as a result NGOWA and NGOIK NGOIK were on

very unfriendly terms. NGOWA was jealous of NGOIK NGOIK

because the latter was NAGAIYA's wife and was getting the

food which would have gone to her. When she returned to

look for NGOIK NGOIK and found her wounded and sick, and

knowing that NAGAIYA had been the one who had done the

spearing, she apparently could not resist the temptation to

add to NGOIK NGOIK's misery by assaulting her before leaving.

 The third motive, suggested by one of the witnesses,

YAKAYAK, brings the tribal aspect to light.

 During the period of six months that this particular

group of natives were away from the Mission, they drifted

between Caledon Bay Blue Mud Bay, Arnhem Bay and the Cato

River, following the ceremonial grounds for corroborees and

hunting as they went. While they were in the vicinity of

Caledon Bay, one of the boys, YUNGARIN ran away with

NAGAIYA's blood sister MULUWA.

 MULUWA had been given as a wife to BULAMBI by her

father, WONGU, and naturally his family group, especially

NAGAIYA, were most indignant about the elopment. Learning

that the two had gone to Arnhem Bay, the rest of the group

immediately followed apparently with the intention of re-taking

MULUWA. On reaching the Cato River, they learned that

YUNGARIN was hunting crocodiles further around the coast.

A message was sent to them requesting that they return to the

Cato River, which they did.

 On their arrival at the camp NAGAIYA cast two shovel

nosed spears at YUNGARIN, both of which missed the target.

Nothing else happened then and YUNGARIN and MULUWA returned

to Arnhem Bay with the main group of natives. When this

group decided to return to Yirrkala Mission YUNGARIN and

MULUWA remained at Arnhem Bay and are now with a group of

natives who are building an airstrip for Mr Shepherdson in

the Arnhem Bay area.

 It was while the main group of natives were returning

to the Mission that the murder was alleged to have taken place.

 NGOIK NGOIK was the blood grandmother of

YUNGARIN and the eldest living of that line.

 YAKAYAK said she had heard NAGAIYA say

that he would kill NGOIK NGOIK and the rest of that

tribe (including YAKAYAK herself) to revenge the elopment

of YUNGARIN and MULUWA. After they returned to the Mission

she heard him say 'I killed NGOIK NGOIK, I sorry for

BULAMBI, my sister really wife belong to BULAMBI'.

 It is the custom of natives in the North East

Arnhem Land to vent their anger on the relative (preferably

the eldest of the line) of a wrong doer if the wrong doer is

not available, and sometimes even when the wrong doer is

available.

 On questioning NAGAIYA regarding this theory,

he denied that the fact of YUNGARIN and MULUWA running away

had anything to do with his spearing NGOIK NGOIK.

 If, as NAGAIYA originally stated, NGOIK NGOIK

was still alive when he left her, I think the first suggested

motive would be the most likely. Had his motive been

revenge I feel sure he would have made sure she was dead

before he returned to the group.

**Tribal Background**

 The group of natives mentioned by me in this

report are led by old man, WONGU, and consist mainly of his

wives, children and grandchildren. Very few of them can

speak any English at all and they spend most of their time in

the bush hunting and following as near as possible the

customs and social life of aborigines as theywere before

they came under the influence of Missions. They return to

Yirrkala Mission when food is very scarce in the bush and

when they feel the need for tobacco.

 The male suspect, NAGAIYA, told me that he

had been in Fannie Bay Gaol before when he was brought in to

Darwin in connection with the murder of three Japanese at

Caledon Bay in about 1937. His attitude seemed to be

that another spell in Fannie Bay Gaol was quite acceptable

to him.

**Relationships**

1. NGOIK NGOIK, deceased, was the wife of suspect NAGAIYA

 and the blood grandmother of the witness YAKAYAK.

2. NAGAIYA, suspect, husband of the deceased, and tribal

 son of NGOWA and YAKAYAK. He was also known to be the

 sweetheart of NGOWA.

3. NGOWA, suspect, a wife of WONGU, tribal mother and

 paramour of NAGAIYA.

4. YAKAYAK, witness, a wife of WONGU, tribal mother of

 NAGAIYA, blood grand-daughter of NGOIK NGOIK.

5. BANGBOI, witness, wife of MULIAL (son of NGOIK NGOIK by

 previous marriage) daughter-in-law of NGOIK NGOIK.

**Conclusion**

 As apparently quite common during investi-

gations of this nature, the stories told to us by witnesses

and suspects alike were many and varied. I have only

endeavoured to acquaint you with the story in general as

near to true as I have been able to get, as a basis for

further questioning by the defending counsel, should this

questioning be found necessary. I feel sure that details

of this story will change if the natives are put in the

witness stand and I know in fact that the suspects have

now told the police that the deceased was actually dead

when they left her. In the absence of a body, and with

the absence of any eye witnesses, I doubt whether the

suspects will be charged with murder.

T C Lovegrove

Cadet Patrol Officer