
POLICE COURT

THE MILINGIMBI CASES

Chalbar, otherwise Erranungem, Muckanni, and Dowarra, three aborigines from Crocodile Islands, were charged, on remand, at the Police Court, on Wednesday morning, before Mr. N. C. Bell, S.M., with feloniously and unlawfully wounding with intent to murder, James Alexander Robertson at Crocodile Islands, on 13th. February, 1927.

Sergeant Stretton appeared to prosecute and said he suggested that defendants be not asked to plead. They were unrepresented by counsel.

Rev. Thomas Theodor Webb, sworn, stated he resided at Milingimbi Mission Station. He remembered Sunday 13th February. He was at the station. At about 9.30 a.m. he was present at the usual Sunday morning religious service which he was conducting. They were assembled at the rear of the girls dormitory building. He was leading the congregation in the repetition of the Lord's Prayer when he noticed an unusual movement and excited talking among the women who were seated furthest out from the building. This movement was followed by a startled cry and a sudden surging forward of practically the whole congregation. He saw Mr. Robertson, who was seated on his right and closer to the end of the building than he, rise from his seat and go to the corner of the building. He presently rushed back saying something which he did not hear distinctly. He also rose from his seat and went to the same corner. On looking round he saw there an aboriginal in full war paint with iron-bladed spears in his

paint with iron-bladed spears in his hand one of which was held at ready in the womera and pointed in his direction. This aboriginal he now recognised as Erranungem. After a few moments of apparent indecision something happened. (Erranungem hurled the spear at him). Almost immediately he ran with several of the station boys to the Mission House, for the purpose of securing firearms. Two guns were obtained, one of which he gave to a boy named Daniel and the other to a boy named Micky. He followed these boys back to Mr. Robertson's residence and there saw Mr. Robertson being helped back to his house, he having received three severe spear wounds. Seeing that the attacking party had been driven off he devoted himself to attending to Mr. Robertson's wounds which consisted of a deep flesh wound in the wrist, a wound which opened up the side of the hand to the bone and also a deep wound in the lower chest. As soon as possible he organised parties which went in pursuit of the attackers. These parties returned about dusk without having seen the fugitives. As a result of information brought to him late that evening he organised another party, which went out in the early hours of Monday morning 14th. February. This party returned at about 8.30 a.m. with the three aboriginals Erranungem, Dowarra and Muckanni. He had these men placed in chains and subsequently sent them into the police authorities in Darwin.

To Sergeant Stretton: There were only a few sick abos. on the island who were in the camp that did not attend the service. The spears produced were similar to those which Erranungem had in his hand (Exhibit "A" and "B.") The spears produced were taken by him from

produced were taken by him from Erranungem when he was brought into the station.

Sergeant Stretton said he did not think the boys understood English but they should be asked to cross-examine, which was done by the S.M.

Sergeant Stretton suggested after hearing the evidence read that "Mission station" be put in where it stated "station" in the first of the evidence which was done.

James Alexander Robertson, lay missionary, Milingimbi Mission Station, stated he remembered Sunday 15th. February. He was attending a service which was being conducted by Rev. Webb at the mission station. The time was about 9.30 a.m. While in the act of prayer shuffling was heard among the black congregation. Hearing this shuffling and low murmuring he arose and went to the corner. He saw a native whom he recognised as Erranungem. He had a spear raised ready to throw. He had a spear in the thrower and as far as he could remember two spears in his hand. He then ran back to the other end of the building and there saw two other natives painted up whom he did not recognise. Dowarra, he noticed had a spear in his hand. He ran back with a piece of wood believing he could knock the spears out of Erranungem's hand but as he had retreated about 15 feet he was unable to do so. Seeing an opportunity to get into his house, which was about 20 feet distant, he went inside. He got a rifle and whilst emerging from the front door he fired a shot without effect. About the same time as the shot was fired, Erranungem he raised a spear and threw it. It struck him on the wrist and hand and entered his lower chest. He could not identify the spears (produced) but

entify the spears (produced) but

they were similar to the ones thrown by Erranungem, which hit him. After witness was speared he fell to the ground and was carried inside by two boys (Kyolo and Jounnie). He then loaded his rifle again and followed Erranungem, who had run away about four chains. He found him hiding behind the medicine house, and was in the act of taking aim at him with his rifle, which jammed, when another spear was thrown at him by Erranungem. The spear was similar to the ones produced. He was then assisted back to his house in a state of collapse. He could not say if there were any other aborigines, apart from the accused, who were not present at the service.

By the bench: Witness had no idea of the motive for the attack.

Accused did not ask any questions.

Kapiu, sworn, stated he worked for the Milingimbi Mission. He remembered Sunday 13 February last. He attended service on that morning at the mission. He noticed boys called Erranungem, Muckanni and Dowarra coming to rifle and they were both pulling at the service. The boys came in to fight on the station. He saw Mr. Robertson take his chair, then after he run back to take a piece of log. When he ran to his (Robertson's) house, he (witness) ran after him. Mr. Robertson went right into his place and took a rifle out. When witness went in he touched the rifle and we were both pulling at the rifle. Then witness let go the rifle and came out through the back door and was making for his (witness') place to get a gun. Not long after he saw Erranungem pass car-

after he saw Erranungem pass carrying two spears (similar to those produced). On Monday he went out to get Erranungem, Dowarra, and Muckanni. He got them and handed them over to Mr. Webb.

By the Bench: He saw the three boys together coming to the station the first time, and they parted afterwards. When witness saw them, only Erranungem had spears.

No questions by the three accused.

Andrew, an abo. mission boy, stated he resided at Milingimbi Mission. He remembered Sunday, February 13th. last. He was at the service. During prayer he heard a noise, lifted his head, and saw Muckanni and Dowarra, near the corner of the house. Both boys had spears. They put the womera in the spear. The spear was pointed to where they were sitting on the forms. He got up from the form, stood there a little while, and then came out in front of Dowarra and Muckanni. He then ran to the Mission house and got a gun and cartridges. Then he ran back to the house where he had seen Dowarra and Muckanni and he then looked for Mr. Webb but could not see him. He then saw Muckanni coming out from the house. He then put his cartridges in the gun and he fired at Muckanni. Muckanni had a piece of wood in his hand when witness fired at him. He kept on running after Muckanni again and had another shot. Muckanni was painted up. After he had the second shot he was near the medicine house and he saw Erranungem there. He said to Erranungem "Who you?" Erranungem said "Me." He put his hand on the trigger ready and Mr. Robertson came up at that time. Erranungem left witness and threw a spear at Mr. Robertson.

threw a spear at Mr. Robertson. Erranungem came out from the corner and he gave him another shot and he (Erranungem) ran away. On Monday morning before dawn witness, and Kapiu, went out hunting for the three accused and found them and brought them into Mr. Webb.

To Sergeant Stretton: When witness first saw Muckanni he had spears in his hand similar to the ones produced.

By the Bench: Witness fired three shots. He used a shot gun. He hit Muckanni. He saw he hit him in the leg. When he found Muckanni he saw the shot marks on his knee.

No questions by accused.

Ryolo, an abo. mission boy, stated he remembered that Sunday. He been sit down along prayer. He been hear all about woman talk. He been look over towards the women. All about been get up. He been stand up look about. He been look two fellow boy come up (Muckanni and Dowarra). Two fellow boy got spear. He been run up to Dowarra and been pull 'em out spear. When he been pullem out spear Dowarra run away. He then look about Mr. Robertson. He been see Mr. Robertson who been look about wood. He wanted hit Erranungen. Mr. Robertson been go first time (witness come up behind). He been go alonga house. Mr. Robertson been get rifle in house. He been shut him up along door, and sit down along inside. He been told Mr. Robertson to fire from the window. He been stand up and run along another door. Mr. Robertson fall down. Mr. Robertson been getem spear. He been ketchem Mr. Robertson ran and half-way witness catch him. Mr. Robertson loaded the rifle and runem after

loaded the rifle and runem after Erranungem. Witness been look about Mr. Webb then to tell him Erranungem been spear Mr. Rob-

ertson. The spear all same as those carried by Erranungem.

Mounted Constable Hoffman sworn, stated on March 1st. last in accordance with instructions he went to the beach near Fort Hill and then boarded the lugger "John McBride" and arrested the three accused on the present charge.

This concluded the evidence for the Crown.

The S.M. decided to commit the three accused for trial.

Larry, otherwise Daymaroopna, an abo., of Crocodile Islands, was charged, on remand with that on the same day he did propose to Erranungem, Muckanni and Dowarra to murder James Alexander Robertson and Theodor Webb.

Sergeant Stretton appeared to prosecute and the accused was undefended.

Sergeant Stretton asked that no plea be taken from the accused.

Rev. Thomas Theodor Webb, sworn, stated that he was in charge of the Milingimbi Mission Station. He remembered 14th. February. When Erranungem, Dowarra and Muckanni were arrested he had a conversation with them. As a result of that conversation he had the boy Larry arrested and brought before him. He then asked in a conversation with the three, Erranungem, Dowarra and Muckanni. "What made them attack the Mission Station. Why did they try to murder Mr. Robertson and himself. Erranungem, speaking on behalf of the three of them, replied, that Larry (the accused) had urged them to do it and also gave them a

to do it and also gave them a bottle of tobacco. He asked Dowarra and also Muckanni if that were true and they said "Yes." He then asked the accused in the presence of the other three "Are these boys speaking the truth? Did you tell them to try and kill Mr. Robertson and I?" and he replied after some little hesitation "Yes, I did so." He consequently had him put in chains and subsequently sent him to Darwin with the other three. On the Sunday afternoon prior to the apprehending of Dowarra, Erranungem and Muckanni, as a result of information given him he had the accused brought to him and asked him "Did you tell Thimble (another abo.) last night that this attack was to be made?" Accused replied, "Yes." He then said to him "Why did you not warn us?" Accused made no reply. As a result of other information he asked the accused "Did you get spears from Mick?" Accused replied "Yes, Mick offered them to me and told me to give them to Erranungem." Witness then had Mick brought to him and asked him "Did you give spears to Larry?" Mick said "Yes." Witness said "What made you do it?" and he replied "Larry asked me for them." In the presence of both Larry and Mick he asked Larry "Is

Mick telling the truth? Did you ask him for the spears?" Accused replied "Yes." Witness then said "What you told me before was a lie" or words to that effect. The accused admitted that his previous statement was a lie.

By the Bench: Witness could give no reason why accused should act in this way.

No questions by accused.

Kapiu, sworn, stated he worked for the Milingimbi Mission station. He remembered Monday 14th February on that morning he brought in Erranungem, Muckanni and Dowarra and handed them over to Mr. Webb. He knew the accused Larry. When he brought in the three boys Mr. Webb sent for Larry. When Mr. Webb brought up Larry he (Rev. Webb) asked Erranungem, Dowarra and Muckanni what made you boys come to the station and make trouble." Erranungem said "Larry sent the point of the spear and tobacco to him." Dowarra and Muckanni agreed with Erranungem. Mr. Webb asked Larry, "Is that true?" and Larry said "Yes."

By the Bench: Larry may have sent another message with the spear blade and bottle. He did not know what an abo. means by sending the point of a spear to another abo.

Andrew, an abo. mission boy, sworn, stated he remembered Monday, February 14th. That is the day he went out and helped to bring in the three wanted boys. He took the boys to Mr. Webb. Mr. Webb talked to the three boys brought in. Mr. Webb then sent for Larry. Mr. Webb said to Erranungem "Who tell you make this trouble?" Erranungem "Someone pushem into this trouble." Mr. Webb say "Who man?" Erranun-

gem say "Who man?" Erranungem said "Some of the boys." Mr. Webb said "You call 'em." Erranungem said "Larry." Dowarra and Muckanni did not say anything. After Mr. Webb said to Larry "You been make trouble?" Larry said "No, another boy." Larry called "Mick." Mr. Webb then called up Mick. Mr. Webb said to Mick "Did you talk this trouble to Larry?" Mick said "No." Mr. Webb told Larry, "Mick, he say no." Larry put his head down and Mick say "This man (meaning Larry) who came and asked me for spears." Mr. Webb asked Larry "You did talk this spear business with Mick. Is it true?" Larry said "Yes."

Mick, another mission boy, stated he knew the accused "Larry." Accused came to his camp on Saturday. Larry been talk "I wantem spear." He been talk "This one my spear." Larry said "I wantem belonga Erranungem." Larry been talk "Big trouble longa mainland." Witness been givem Larry shovel spear two. He been given another one and Larry been pullem out (meaning he only took the steel blade).

Larry talk "I go take 'em along
Erradungem."

Larry say "I been give it Erran-
ungem go ngit alonga mainand.
Witness been see the three boys
brought in to Mr. Webb. He been
go up talk alonga Mr. Webb. Mr.
Webb been talk "You tell 'em true.
You beionga spear." Witness talk,
"I been gibit alonga Larry."

Mounted Constable Hoffman gave
evidence of the arrest of accused on
the present charge on March 1st.
last on the lugger "John McBride"
then lying out from Fort Hill.

This concluded the Crown case.

The accused was committed for
trial at the next sitting of the
trial at the next criminal sitting of
the Supreme Court.
