

**A DISORDERLY FRONTIER: AN ANALYSIS OF
DRUNKENNESS, DISORDER AND DRUG OFFENCES
IN THE NORTHERN TERRITORY 1870 - 1926**

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*Paper presented at the History of Crime, Policing and Punishment Conference
convened by the Australian Institute of Criminology
in conjunction with Charles Sturt University
and held in Canberra, 9-10 December 1999*

Introduction

In today's Northern Territory, drunkenness, social disorder and the prevalence of illicit drugs such as cannabis all make headlines.¹ There are calls from the public, commentators and the media for the police to 'do something about the problems' as if these offences have only recently become widespread. The reality is different. Ever since Europeans permanently settled the Northern Territory in 1870, drunkenness, social disorder and drug offences have all posed problems for law enforcement officers. In this paper, I briefly discuss drunkenness, disorder, and the use of opium in the Northern Territory in the late nineteenth and early twentieth centuries.

Whilst I refer to statistical information throughout the paper, I acknowledge that apprehension rates do not always reveal the true rate of crime. They do not, for example expose the number of instances where police chose to caution or take action other than arrest. Another difficulty in analysing historical Northern Territory statistics is that reports of crime were included in the South Australian totals until 1910 and thereafter crime figures were not reported in every annual report.

Drunkenness and Disorder

Heavy consumption of liquor in the Northern Territory is not a recent event. Liquor was consumed in significant quantities from the early days of settlement. Even those who had been moderate drinkers in southern Australia succumbed to the lure of alcohol when they moved north. As Mounted Constable Turner noted 'men who never drank in their lives have come here and fallen to the square'.² This suggests that social factors, including the demographics of the population and peer pressure, encouraged drinking. The 'square' was gin, the name deriving from the shape of the quart bottle, which cost 13s whilst a pint bottle of beer cost 1/9.³ Considering that gin was mixed with water, it can be seen that the spirit was a cheap way to get drunk. In 1906, for example, consumption of gin equated to each European adult drinking almost twelve gallons of the spirit in the year.⁴

Figure 1 indicates the extent of the problem of drunkenness compared to a range of other offences. Clearly, as a casual glance indicates, drunkenness was a major problem in the years depicted.

Amongst the earliest court appearances in Darwin was that of Thomas Gollard, the settlement's armourer charged with being drunk and making noise in 'the camp' on 2 July 1870. Gollard's penalty was a fine of five shillings but the Government Resident reduced the penalty to a caution.⁵ The value of fines imposed on those convicted of drunkenness rose quickly; a fine of £5 was imposed on Joseph Abdoolah in September 1885.⁶ This became the usual fine imposed on drunks convicted in Darwin's court during the latter part of the nineteenth century. By 1901 however, penalties had been reduced, becoming more flexible, with three offenders being cautioned and one fined £3 7s for drunkenness at one sitting of the court.⁷ This trend to a reduction in penalties continued but did not reduce the number of offences committed.

¹ See, for example, the *Northern Territory News*, 13 and 14 October 1999, regarding gangs in Darwin's Northern Suburbs.

² Tom Turner Papers, 1907-1957, ML MSS 1336. Mitchell Library, Sydney.

³ These are 1918 prices. Evidence of Evans, Commonwealth of Australia, Royal Commission on the Northern Territory, Minutes of Evidence, Andrew Mullet, Government Printer of Victoria, 1920, p. 164.

⁴ Return of stimulants consumed during 1906, National Archives of Australia, Darwin Office. Unfortunately, returns are not available for other years.

⁵ Catchlove, *The Diaries of Edward Napoleon Buonaparte Catchlove*, entry 3 December 1870, microfilm, Northern Territory Library.

⁶ *Northern Territory Times and Gazette*, 12 September 1885.

⁷ *Northern Territory Times and Gazette*, 11 October 1901.

An examination of the police station day journals shows that very few arrests for drunkenness occurred outside Darwin.⁸ The reason few apprehensions for drunkenness occurred were because of the small numbers of police stationed outside the Territory's main centre and the few licensed outlets. It was not that offences did not occur but instead, the lack of adequate police to make apprehensions. The lack of police was a Territorian's version of heaven 'The one pub town without a policeman is all that anyone could desire for the simple life' wrote one correspondent to the newspaper.⁹

Drunkenness was a problem in those remote towns which did have a police station, but police tended to ignore the offence, as one commentator complained in 1907, 'the want of active police supervision for this place is sadly felt. The opium and drink curse are rampant... Energetic men... are wanted for a place like this'.¹⁰ Even earlier, Mounted Constable Cowle at Illamurta had noted that the annual race week was 'chiefly notorious for the affectionateness of the Rum laden inhabitants of the District for any one with the price of a few drinks...'.¹¹ Yet, there is no evidence that anyone was arrested for drunkenness at this or similar events. Police tolerance of heavy drinking appears to have been a factor in early Territory life.

There is some evidence that police officers were inclined to ignore drunkenness amongst the upper class Darwin whites. The *Northern Territory Times and Gazette* in mid 1881, carried the acid comment 'what a pity drunkenness and Godliness are so mixed up among us'.¹² Other evidence of police inaction towards offences committed by the upper class is found in the *Northern Territory Times and Gazette* in October 1914. A reporter advised that despite expectations that 'certain individuals would be charged with discharging a firearm within the town limits', no such action had occurred.¹³ The reporter mused that:

What with the way members of the local oligarchy continue to flout both law and by-law, comprising some of their own making, including riding bicycles on footpaths, taking dogs on the wharf, endeavouring to send aboriginal (sic) skulls abroad, discharging firearms etc, they will soon have to be searched for opium.¹⁴

The data available does not fully disclose the racial origin of those persons charged with drunkenness in the Northern Territory. In 1918 however, only ten Aboriginal people were charged throughout the Northern Territory with being drunk.¹⁵ Reference to the Administrator's Annual Reports suggests that there were about 100 people apprehended for drunkenness during 1918.¹⁶ It is estimated therefore, that Aboriginal people comprised less than ten per cent of those apprehended for drunkenness in the early years of the twentieth century. Very few Chinese people were apprehended for drunkenness. Drinking to excess was therefore singularly a problem confined to Europeans.

⁸ Borroloola Police Station Day Journal, NTAS, NTRSA268, NTAS, NTRS F 255, Alice Springs Police Station: Station Day Journal for the period 1883- 1889. Series F 280, NTAS, NTRS F 280, Brocks Creek Police Station: Station Day Journal 1926 – 1929, NTAS, NTRS F 291 Katherine/Emungalen Police Station Day Journals 1915-1921, Katherine/Emungalen Police Station Day Journals 1919-1922, Katherine Police Station Charge Book 1913, NTAS, NTRS F 292 Wave Hill/Bow Hills Police Station Day Journal 1916-192, NTAS, NTRS 293 Mataranka Police Station Day Journal 1928-1930, NTAS, NTRS F 298 Lake Nash Police Station Police Day Journal 1919-1926.

⁹ *Northern Territory Times and Gazette*, 7 April 1925.

¹⁰ *Northern Territory Times and Gazette*, 23 13 December 1907.

¹¹ Personal communication John Mulvaney to the author, including draft manuscript of book in progress containing Cowle's letters to Baldwin Spencer Mounted Constable Cowle to Baldwin Spencer, letter of 30 may 1876, p. 39.

¹² *Northern Territory Times and Gazette*, 25 June 1881.

¹³ *Northern Territory Times and Gazette*, 8 October 1914

¹⁴ *Northern Territory Times and Gazette*, 8 October 1914

¹⁵ Report of the Chief protector of Aborigines in the *Annual Report of the Administrator*, 1918.

¹⁶ *Administrators Annual Reports* for the years 1917, 1918, 1919

Those Aboriginal people who were unfortunate enough to be apprehended for drunkenness tended to receive more severe penalties than Europeans.¹⁷ In 1919, for example, ‘for being too heavily loaded with hop beer, six niggers (sic) were sent to gaol for a month’.¹⁸ The usual penalty for a European convicted of drunkenness at this time was a caution or a small fine.

Drunkenness was often at the root of much of the street disorder in the Northern Territory. The type of behaviour for which

OFFENCES REPORTED TO POLICE FOR THE PERIOD 1912 TO 1925 (Selected Offences)

OFFENCES	1912	1913	1914*	1915	1917*	1920	1921	1922	1923	1924	1925
Assault	12	6	26	21	63#	7	7	3	6	14	11
Assault, Indecent	-	2	-	-	-	-	-	-	-	-	-
Assault Police	2	3	3	3	-	9	-	-	-	-	-
Assault and Rob	4	-	-	-	-	-	-	-	-	-	-
Breach Aboriginal Act	29	36	27	28	38	22	24	21	74	40	94
Breach Opium Act	-	-	-	-	-	-	-	-	2	3	12
Breach Police Act (street offences)	12	3	31	34	34	14	8	14	13	8	17
Breaking gaol	4	6	8	11	12	4	4	5	9	10	-
Cattle killing	1	2	1	1	1	1	3	-	1	2	-
Cruelty to animals	-	-	-	-	-	-	1	-	-	-	-
Drunkenness	95	92	139	170	341	123	23	47	18	42	39
Disorderly/riotous Conduct	-	5	8	9	43	5	3	5	2	3	3
Habitual Drunkenness	-	4	3	3	7	-	-	-	-	-	-
Horse/cattle stealing	1	-	2	2	3	-	1	2	-	-	-
Housebreaking	2	1	1	1	1	-	-	-	-	-	-
Illegal use of camel	-	-	-	-	-	-	-	1	-	-	-
Indecent language/Indecency	6	7	23	29	59	35	18	12	5	8	13
Larceny	22	18	34	44	52	26	40	40	48	23	23
Manslaughter	1	-	2	2	-	-	1	1	1	-	-
Murder, inc. attempt	3	5	2	6	10	3	3	2	5	1	-
Supply liquor to Aborigines	13	15	34	35	8	1	5	-	-	-	-
Supply opium to Aborigines	8	-	7	7	4	-	3	-	-	-	-
Unlawful possession	2	11	16	22	42	24	23	40	40	9	29
Unlawful damage	1	-	4	4	11	2	-	-	1	-	2

Figure 1

people were likely to be charged with disorderly behaviour included those trying to ‘box on with the police’¹⁹ and others trying to rescue friends who had been arrested.²⁰ A review of the newspaper reports for this type of offence indicates clearly that drunkenness was involved in much of the disorderly behaviour, just as it is today.

During the First World War, police in Darwin increasingly faced significant street disorder due to the enlarged workforce arriving in Darwin to work on the Pine Creek to Katherine Railway and at Vestey’s Meatworks. This disorder culminated in December 1918 with the ‘Darwin Rebellion’.

¹⁷ See, for example, issues of the *Northern Territory Times and Gazette*.

¹⁸ *Northern Territory Times and Gazette*, 22 November 1919.

¹⁹ *Northern Territory Times and Gazette*, 3 February 1920

²⁰ *Northern Territory Times and Gazette*, 3 February 1920

From 1916 onwards the levels of brawls in the streets of the Territory's capital increased. Often these fights were between whites of different ethnic backgrounds. In November 1916, for example, it was reported that:

There was a free fight of sorts in Cavenagh Street on Saturday evening Sequel to a similar squabble, which eventuated in the same locality there were no arrests. It is said that drink, as usual, was at the bottom of the trouble, the principals in which were some whites and Greeks.²¹

Like drunkenness, fighting and other street disorder was largely an offence committed by Europeans.

Whilst there were no arrests at this particular fracas, police were active in prevention of similar affrays that resulted in Justices of the meting out harsh penalties.²² Official fear of these incidents getting out of hand and being beyond the capacity of the Police Force to deal with resulted in the Cable Guard²³ being utilised on street patrol duties for a short period.²⁴

Opium

The misuse of opium was always a problem in Darwin. One early manifestation of the misuse of the product occurred when £1500 worth of opium was stolen from the Customs Bond Store in Darwin in May 1892. This was the third occasion on which an entry to the store had been attempted but the first in which the thieves had been successful. The crime was never solved.²⁵

The use of opium grew and police became more active in apprehending those using or supplying the drug. From 1898 to 1909 the offences most likely to result in a term of imprisonment were either supplying opium to Aborigines or aid and abet that offence. The rate of imprisonment for opium related offences peaked at five times that of other offences.

Figure 2 depicts the high rate of imprisonment for opium offences from 1898 to 1905, the height of debate about a 'white Australia'. Figure 3 compares the numbers imprisoned for opium related offences with three other selected offences. Far more people were in gaol for opium related offences than for drunkenness, stealing or assaults, in some cases more than all three combined. From the numbers gaoled, it is also clear that Northern Territory officials deemed these serious offences and official policy was responsible for the increasing police activity relating to opium. The high numbers gaoled for opium related offences decreased after the Commonwealth *Immigration Restriction Act* of 1901 came into force and virtually ended Chinese immigration into the Northern Territory.

Most of those arrested for offences connected to opium were Chinese people. It seems likely therefore, that the White Australia Policy also had some impact on the numbers of Chinese arrested.

Typical of the charges laid was the appearance of Ah Sam in court in 1914. Ah Sam was charged with being in possession of opium suitable for smoking. He had been seen in one of Darwin's main streets carrying a hurricane lamp and biscuit tin. Stopped and searched by a police constable, opium was found in the tin. Ah Sam was sentenced to six months imprisonment.²⁶

²¹ *Northern Territory Times and Gazette*, 30 November 1916.

²² *Northern Territory Times and Gazette*, 23 November 1916.

²³ A military reserve unit with the major role of guarding the overseas telegraph cable where it came ashore in Darwin.

²⁴ *Northern Territory Times and Gazette*, 14 December 1916.

²⁵ *Northern Territory Times and Gazette* 27 May 1892, and Inspector Waters Report, *Report of the Administrator*, 1912.

²⁶ *Northern Territory Times and Gazette*, 29 January 1914.

Despite the decline in numbers apprehended for offences connected with opium the abuse of the substance continued. In 1905, addicts had become so addicted they not only smoked the drug, they ate it and drank opium diluted in water.²⁷ After 1908 most offenders apprehended were aged and infirm Chinese, Inspector Waters commenting that many of those incarcerated for drug offences 'had to be nursed in gaol'.²⁸ The numbers of those imprisoned for opium offences declined after 1908 as the Chinese population of the Northern Territory reduced.

PERSONS IMPRISONED IN THE NORTHERN TERRITORY; SELECTED YEARS AND OFFENCES 1885-1911

(Selected Offences)

OFFENCES	1885	1887	1888	1895	1898	1900	1901	1902	1903	1904	1905	1908	1909	1910	1911
Aid & Abet procure opium	-	-	-	-	-	14	-	2	1	1	10	-	-	-	3
Aid & abet supply liquor	-	-	-	-	-	-	1	-	-	2	2	-	-	-	-
Assault	5	3	9	3	-	2	7	1	2	1	-	5	7	4	1
Assault/resist police	1	1	-	-	1	2	1	-	-	1	-	3	-	-	-
Burglary	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-
Cattle killing	-	-	-	-	2	-	-	3	-	-	-	-	-	-	-
Desertion	2	-	8	1	-	-	-	-	-	-	-	-	-	-	-
Discharge firearm	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-
Disobey orders	-	-	-	12	19	-	-	-	-	-	-	-	-	-	-
Drunkenness	-	-	-	10	1	1	-	4	2	-	1	-	-	3	1
Embezzlement	-	-	1	-	-	-	-	-	3	-	-	-	-	-	-
Escape custody	-	-	-	1	-	2	1	-	2	1	-	-	3	-	8
Fighting	-	-	1	-	-	-	-	-	-	-	-	-	-	1	-
Forge (& utter)	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-
Habitual drunk	-	-	1	1	-	-	-	-	-	-	-	-	-	-	-
Horse stealing	-	4	-	-	-	-	-	-	-	-	1	-	-	1	-
Housebreaking	4	-	18	-	-	2	-	-	-	-	-	-	-	-	-
Ill treat horse	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-
Indecent assault	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Indecent exposure	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-
Indecent language	-	3	-	1	2	2	-	-	-	-	-	-	-	-	-
Larceny	-	14	2	9	-	3	9	10	8	4	5	7	7	9	7
No visible means of support	-	-	1	-	-	-	2	-	1	-	-	3	-	2	1
Receiving	-	-	5	-	1	-	-	-	-	-	-	-	-	-	-
Refusing duty	11	30	3	-	-	-	-	-	-	-	-	-	-	-	-
Riotous behaviour	-	-	-	-	-	-	-	-	2	-	1	-	-	-	-
Smuggling	-	1	1	-	-	-	-	-	3	-	-	-	-	-	-
Supply liquor to Aboriginal	2	3	1	5	-	4	4	4	4	5	4	7	6	7	7
Supply Opium to Aboriginal	-	-	-	-	-	10	13	22	10	6	7	14	18	5	13
Threatening language	-	-	-	1	-	-	1	-	-	-	-	-	-	-	-
Unlawful damage	-	2	7	-	-	-	-	-	1	-	1	-	-	-	-
Unlawful gaming	-	2	1	-	2	1	2	-	-	-	-	4	2	1	-
Unlawful possession	-	-	-	-	-	-	-	1	-	-	-	1	2	-	-
Unlawfully in dwelling	-	-	1	-	-	1	-	-	-	-	1	-	1	-	-

Figure 2

²⁷ Inspector Waters to the Government Resident, Crime and Mortuary Return 1905, 30 June 1905, SRSA, 1/354/1905.

²⁸ *Report of the Administrator*, 1917.

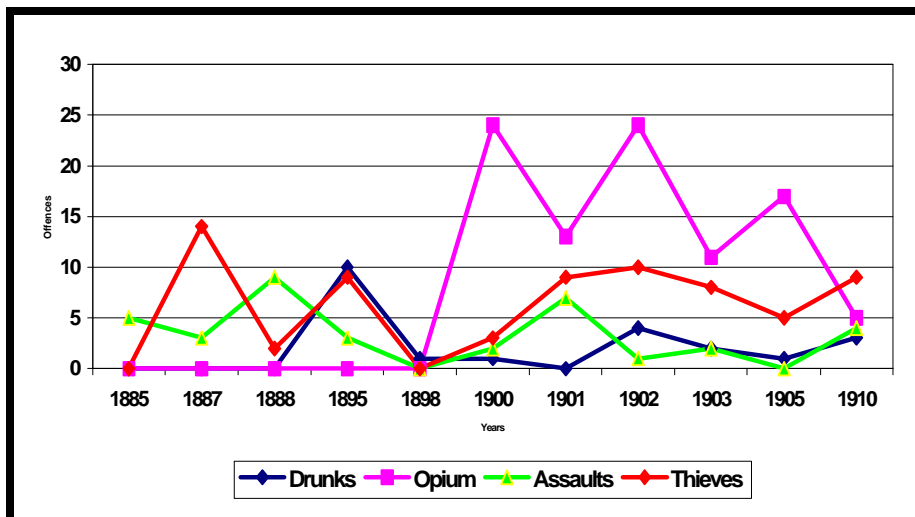


Figure 3

The occasional European was detected smuggling opium into the Northern Territory, for example in 1915, Edward E. Lang was arrested after the vessel *St. Albans* arrived from Thursday Island, with ‘a quantity of opium’ in his possession. Lang, charged with smuggling, refused to provide information as regards the ‘Asiatic’ who had furnished him with the opiate.²⁹ The refusal of Lang, and other whites convicted of similar offences, confirmed the prevalent view that the trade was a lucrative one.³⁰ A few Europeans were convicted of using or supplying opium on the Northern Territory Goldfields during the first decade of the Twentieth century.³¹ To conclude the racial comparisons, very few Indigenous people were convicted of offences in this class because they chose to use the substance in secret in the bush.³²

Gambling and opium addiction brought with them the spectre of corruption and some police in the early twentieth century were as likely to succumb to corrupt practices as those exposed in recent years in New South Wales. At the 1919 Royal Commission into the administration of the Northern Territory, Inspector Waters was questioned at length about a complaint made to him that Acting Sergeant Richardson had apprehended some Chinese in possession of opium and retained the seized drug for his own use.³³ Waters, when asked if he had enquired into this matter replied:

I did. The result was nil. I asked the constable (sic) and he said “no”. I asked several Chinese, but I could not hear of any opium being in the town. Constable (sic) Richardson is now at Katherine.³⁴

Later, Waters was asked Richardson’s salary and replied that, as an acting sergeant Richardson would have received £380 a year. Waters was then confronted with the fact that Richardson, in addition to his salary, had paid £298 into his bank account in a one-month period. Waters suggested to Mr Justice Ewing, the Royal Commissioner, that he would ‘wire’ Richardson and ask him to explain how he came by the money.³⁵

²⁹ *Northern Territory Times and Gazette*, 11 February 1915.

³⁰ *Northern Territory Times and Gazette*, 11 February 1915.

³¹ Barbara Pedersen-Mclaren, *Brock’s Creek: A History of Mining – Its Expectations and Disappointments 1870 – 1911*, Ma (qualifying) Thesis, University of Queensland, 1990, p. 35.

³² Inspector Waters to the Government Resident, Crime and Mortuary Return 1905, 30 June 1905, SRSA, 1/354/1905.

³³ Royal Commission on the Northern Territory, Minutes of Evidence, p. 168.

³⁴ Royal Commission on the Northern Territory, Minutes of Evidence, p. 168.

³⁵ Royal Commission on the Northern Territory, Minutes of Evidence, p. 168.

In 1925, Constable J.E. Green appeared in court on charges of having accepted bribes. These were dismissed but a subsequent Court of Enquiry found Green guilty of disgraceful conduct in that, he accepted a bribe to forgo his duty. It was alleged that Green accepted three pearls not to charge a Chinese, Ah Chong, with smoking opium. Green was also alleged to have accepted three shillings for returning seized opium pipes to Fong Yong and not accounted for ten shillings paid by Ah Luck for two Aboriginal licences.³⁶ The Board found that Green had accepted the pearls and three shillings to forgo his duty and upheld his dismissal for disgraceful conduct.³⁷

Summary

In summary, Drunkenness, street disorder and drug offences have existed in the Northern Territory since 1870 when the Europeans first colonised the region. Alcohol was the common denominator in most of these offences.

Harsh penalties were used as a means of reducing the number of these offences. The hard regime did not work, statistics reveal no decrease in these offences despite the penalties. The penalties were later reduced, but this also had little or no effect on the number of offences, it was social factors that influenced the number of offences committed. This remains the case today.

Drunkenness was originally very much an offence that whites committed, with only about 10 per cent of offenders being Indigenous Australians. Chinese people hardly featured in the drunkenness statistics.

Drug offences were also part of the early Northern Territory history. The penalty for using or distributing the drug was severe, usually imprisonment for six months. This did not deter the offenders and it was only a decline in the Chinese population of the Northern Territory after 1908, which saw the offences decline.

In today's Northern Territory, police still grapple with the problems caused by drunkenness, street disorder and drug use. It is time the Government recognised that these are not new issues but have been part of the Territory's culture since 1870. It is time to address the underlying causes and deal with the symptoms rather than persisting with punishing the offender, which has been the failed approach for almost a hundred and thirty years.

³⁶ Northern Territory Times and Gazette, 24 April 1925.

³⁷ Northern Territory Times and Gazette, 1 May 1925

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