

The Aboriginal Heritage of Brisbane's Boundary Streets

Report for Brisbane City Council

Literature Review and Historical Research

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1.0 Current significance of Brisbane's 'Boundary Streets'

1.1 Socio-political significance

1.1.1 Curfews and racism

The understanding that 'in the early days of Brisbane there was a curfew on blacks' forms a central tenant of Aboriginal activism in Brisbane.¹ As Sam Watson expressed to ABC Radio:

Our people were well aware of the history and because of our traditions our grandparents and aunties and uncles told us the stories... As a youngster my uncles would take me walking around that area and up to Spring Hill, where the main road used to be, and then down to Petrie as that was the exclusion zone. Aboriginal people would be treated quite brutally if they crossed that demarcation line, if they crossed it after the hours of darkness.²

Educational scholar Juliana McLaughlin described Brisbane's boundary streets as epitomising racism and creating 'a still-evident epistemological boundary embodied in the name.'³ The very name Boundary Street echoes of distrust and racial divides.⁴ For younger Aboriginal persons of Brisbane, the streets are viewed as signifying many of the pre-1970s 'injustices of boundaries and curfews for blacks.'⁵

1.1.2 Social justice and protest

Most of Brisbane's Indigenous social justice bodies emerged near the South Brisbane Boundary Street in the 1960s and 1970s. For instance, in the early 1970s Pastor Don Brady held public speaking rallies in the Manhattan Walk area (Melbourne Street).⁶ The protests that followed the 1982 Commonwealth Games focussed on this area due to the 'tent city' at

¹ Paul Memmott (2011), 'Modelling the continuity of Aboriginal Law in urban native title claims: A practice example,' in Toni Bauman & Gaynor Macdonald, eds. *Unsettling Anthropology: the Demands of Native Title on Worn Concepts and Changing Lives*, Canberra: Australian Institute of Aboriginal and Torres Strait Islander Studies, p. 136.

² Lauren McMahon, "Calls for Brisbane's Boundary Street to be renamed to remove reminder of racist history," new.com.au 2 February 2016, <https://www.news.com.au/national/queensland/calls-for-brisbanes-boundary-street-to-be-renamed-to-remove-reminder-of-racist-history/news-story> accessed 28 March 2021.

³ Juliana M. McLaughlin and Susan L. Whatman (2015), 'Beyond Social Justice Agendas: Indigenous Knowledges in Pre-service Teacher Education and Practice in Australia,' *International perspectives on race [Social Issues, Justice and Status]*. Nova Science Publishers, United States of America, pp. 12-13.

⁴ 'The Story of Our Streets,' in Arts, Live, Stories, *The Westender Magazine*, 24th August 2013 <https://www.westendmagazine.com/the-stories-of-our-streets>. Accessed 24th March 2021.

⁵ Rose Best (2006), 'Out and about in Kurilpa: the right to public space,' *Parity*, Vol. 19, No. 1, Feb 2006, pp. 68-70

⁶ Joanne Watson (2004), 'Always Will Be', in Raymond Evans & Carole Ferrier, eds, *Radical Brisbane: An Unruly History*, Carlton North: Vulgar Press, pp. 311-313.

Musgrave Park. The bold effort to claim Musgrave Park as ‘Aboriginal land’ was by the recognition that it had been shaped ‘by non-Indigenous forces such as the Boundary streets’.⁷

In the late 1990s, Mayor Jim Sorley organised an official ‘breaking the curfew’ walk around the boundary streets with Indigenous elders including Uncle Bob Anderson.⁸ Subsequently, a walk from West End Boundary Street to Spring Hill Boundary Street has become the vehicle for *Reconciliation Queensland* annual commemoration of *Reconciliation Week*.⁹

1.1.3 ‘Boundless Street’: name change petition

In 2016, Michael Colenso launched a Change.org petition to change the Boundary Street name to ‘Boundless Street.’ 1,054 supporters were tallied.¹⁰ Meanwhile, in the lead-up to Australia Day, photographs emerged on social media showing street signs anonymously changed to “Boundless Street”. Facebook groups also sprang up in which local residents discussed the need for a new name and identity overhaul. The event was even covered by *Daily Mail Australia* (UK).¹¹

The petition was so well-supported that Brisbane’s Lord Mayor Graham Quirk agreed to consider re-naming the streets if the change was embraced by Brisbane’s Indigenous community.¹² He told Fairfax Media:

It’s a part of our history that there’s not too much pride about, but it is a part of our history nonetheless and a reminder of the prejudices that did used to exist and the limitations of freedom that did used to exist for Aboriginal people in our past.¹³

Elder Sam Watson expressed that many in the Aboriginal community preferred to leave the names intact:

You shouldn’t sanitise history or conceal history as it should be there for people to know about...I would like signage through the area to let people coming into the area know they are walking on country with that darker history.¹⁴

⁷ Kelly Greenop & Paul Memmott (2013), ‘Aboriginal Identity and place in the Intercultural Settings of metropolitan Australia,’ in Evelyn Joy Peters, Chris Andersen, eds., *Indigenous in the City: Contemporary Identities and Cultural Innovation*, Imprint Vancouver: UBC Press, p. 256.

⁸ Robert Anderson, email to Ray Kerkhove, 10 October 2018.

⁹ ‘Walk uncovers Boundary Street history,’ *Reconciliation Queensland Incorporated*, 26 August 2018, <https://www.rqi.org.au/walk-uncovers-boundary-street-history/> accessed 28 March 2021.

¹⁰ ‘How Boundary Street in West End and Spring Hill Got Its Name,’ *West End Today* <https://westendtoday.com.au/how-boundary-street-in-west-end-and-spring-hill-got-its-name/> accessed 28 March 2021.

¹¹ ‘Haunting historical photo reveals the dark history behind a seemingly innocent street name’, *Daily Mail Australia*, 14 June 2020, <https://www.dailymail.co.uk/news/article-8419059/Haunting-historical-photo-reveals-dark-history-seemingly-innocent-Brisbane-street-name.html> accessed 28 March 2021

¹² Cameron Atfield, ‘Brisbane could rename historically racist Boundary streets,’ *Brisbane Times*, 30 January 2016.

¹³ Lauren McMahan (2016), ‘Calls for Brisbane’s Boundary Street to be renamed to remove reminder of racist history,’ *new.com.au* 2 February 2016, <https://www.news.com.au/national/queensland/calls-for-brisbanes-boundary-street-to-be-renamed-to-remove-reminder-of-racist-history/news-story> accessed 28 March 2021.

¹⁴ McMahan, ‘Calls for Brisbane’s Boundary Street to be renamed..’.

2.2 Current cultural importance

2.2.1 Art and literature

Over the last few decades, acknowledging Brisbane's Boundary Streets has become a pivotal aspect of local cultural expression. In 2000, the *West End Street Festival* featured an art installation: *Behind the Boundary* by Cathy Smith and Matthew Dixon, on the theme of the street's negative history.¹⁵ In 2011, the Boundary Street curfew was central to the story of *The Boundary*, a novel by Birri-gubba/ Yugambeh author Nicole Watson. The novel won the 2009 David Unaipon Award.

2.2.2 Theatre and film

'Boundary Street' was also a theatre piece, produced by James Morrison. It was performed by *Black Swan State Theatre* at the Powerhouse Theatre (New Farm) in 2012, relating the story of three American servicemen and their relationships with three local women in 1942.¹⁶ Similarly, in 2014, 'awareness of the history of Boundary Street' was used towards a filmed performance art work (*Maiwar Performance*). This involved Brisbane elder Sam Watson and Duve Balley. The piece was described as a 'witness to the act of reclaiming sovereignty'.¹⁷

2.2.3 Landscape and urban planning

Within landscaping, planning and architectural work, Vulture and Boundary Streets were defined as 'landscapes of strategic interest' that 'reflect the (19th Century) mindset of terror'.¹⁸ These considerations were used in subsequent planning for the area.

¹⁵ https://espace.library.uq.edu.au/data/UQ_162063/Behind_the_boundary.pdf; Cathy Smith (2001), 'Soft Architectures', *Internet research 2.0: INTERconnections Conference, October 11-14*, Minneapolis: University of Minnesota; Cathy Smith (2003), 'Between-ness: Theory and Practice within the Margins of Excess', *IDEA Journal 2003: Between Excess and Austerity*, Volume 1, Issue 4, Brisbane: Queensland University of Technology, pp. 131-144.

¹⁶ Yorrick Smal (2014), 'Confused distillation', *History Australia*, Vol.11:1, April 2014, p. 242.

¹⁷ Sally Butler & Roland Bleiker (2017), 'Embodied Witnessing: Indigenous Performance Art as Political Dissent,' in Kia Lindroos, Frank Möller, eds., *Art as a Political Witness*, Columbia: Barbara Budrich/ Columbia University Press, p. 103.

¹⁸ See Danny O'Hare, 'South Brisbane Case Study', in Jeannie Sim & Helen Armstrong (2001), ed., *Report 4: Reports of the case studies: the five case studies examined were Cape York, Wet Tropics, Glasshouse Mountains, South Brisbane and Gold Coast* (Brisbane: QUT) pp. 103, 116; and Naomi Stead and Dianna Snape (2017), 'City Limits', *Landscape Architecture Australia* No. 155 (Architecture Media Pty Ltd, August 2017), pp. 73-81.

3.0 Historic development of Brisbane's 'Boundary Streets'

Provision of 'boundary streets' and 'town borders' was standard in 19th Century British town planning for defining the limits and use of areas of land. The original Brisbane 'square' embraced areas that became Boundary Street (Spring Hill), Boundary Street (West End), Vulture Street (West End) and Wellington Road (East Brisbane).

This section will concentrate on aspects that affected Aboriginal presence. I have summarized pertinent sections from Darryll Bellingham's *The History of the Boundary Street Curfew*,¹⁹ adding in my conclusions from early maps.

1829

During Brisbane's penal administration, 'the 1829 Regulations No. 45' provided Brisbane's Commandant 'full authority' to remove at his discretion, any persons from settlement, 'for the due maintenance of discipline.'²⁰

Moreton Bay (Brisbane) colony at the time consisted of just a small section of the current CBD, namely the Queen's Wharf area, with surrounding regions being used for corn fields to sustain the little settlement. Between 1827 and 1830, there was sustained raiding of these fields by

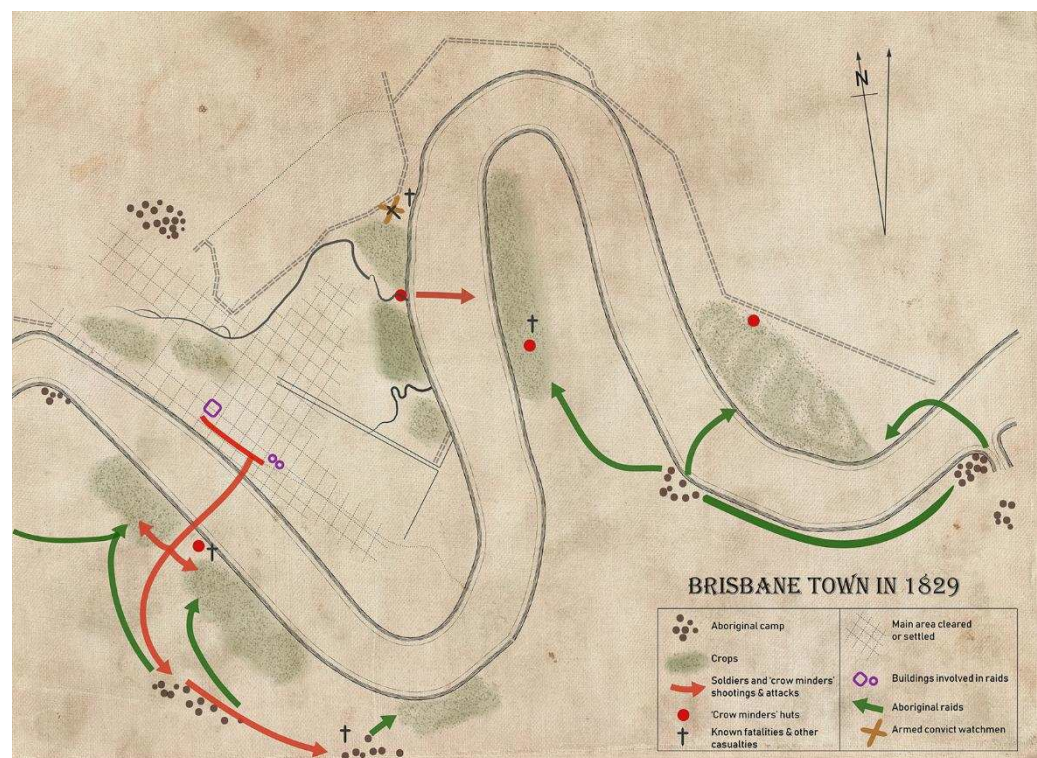


Figure 1: raids and counter-raids close to the original penal settlement, showing the impact of these conflicts on shaping the early town limits.

¹⁹ Daryl Bellingham, 'The History of the Boundary St. Curfew,' (2000), <http://members.optusnet.com.au/~dbelling/boundary.html>, accessed 27 March 2021.

²⁰ J.G. Steele (1975), *Brisbane Town in Convict Days 1824 – 1842*, St Lucia: University of Queensland Press, p. 120

Aboriginal groups to try to starve out the colony. There were deaths associated with this early conflict. Kabi scholar Colleen Wall believed the purported Musgrave Park burials might be of persons killed during the 'corn fields raids'.²¹ This process seems to have 'cleared' the area that eventually became the 'city border square' in 1842.

1841

First Brisbane enactment of 'Police Towns Act' (1839): creation of 'town boundaries' and provision for removal or prevention of 'nuisances and obstacles' (this originally meant stray animals).

1843-1844

Burnett's Plan of Brisbane town limits. In September 1843 Wade had prepared a plan of the town for police purposes. Burnett followed this up with a further plan six months later; this involved 'tidying up' central Brisbane to give it a clear identity.²² Notes on the map read: 'this cancels former Survey by Mr. Wade 18th Dec, 1843. Boundaries proclaimed in the Gov. Gaz. for 1846 folio 537'.²³

The area that became 'Boundary Street' and the accompanying border streets first appear in Wade's map of 1843-1844, but in this, only Boundary Street strictly follows its current contours, the other intended borders forming a rather smaller square around the fledgling settlement.²⁴ This 'original square' marked out Spring Hill's Boundary Street (see Figure 2).

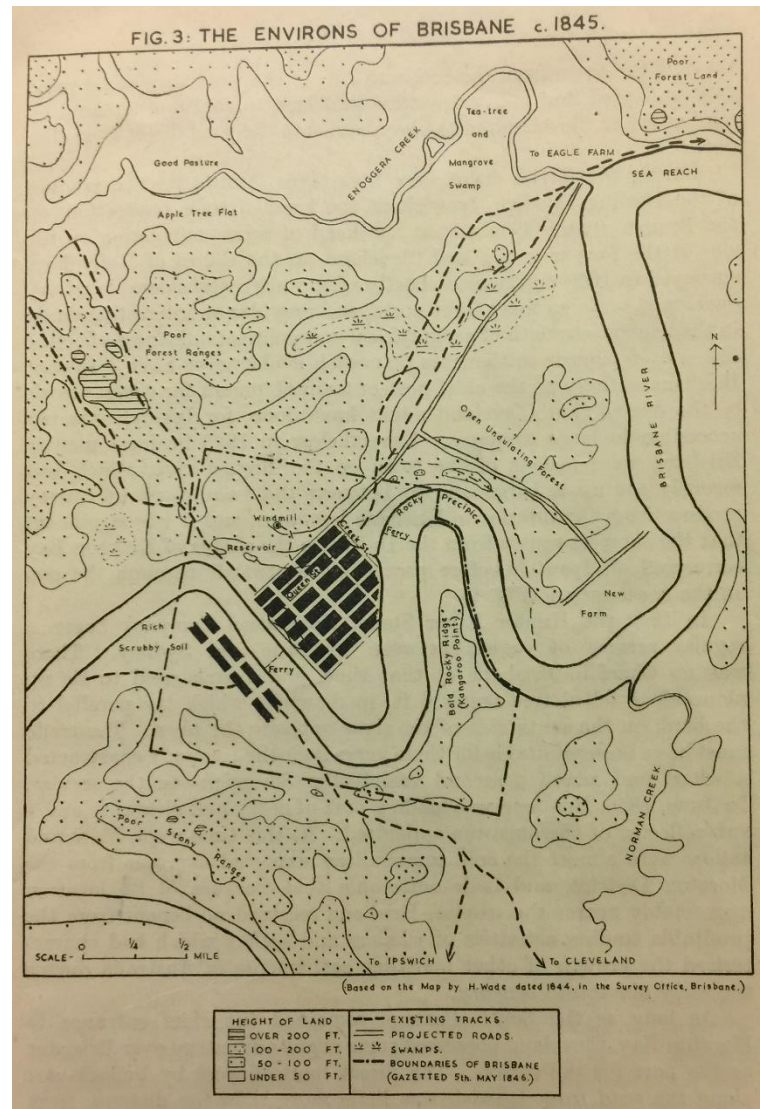


Figure 2: original 'square' border plan and original pathways (L J Jay, *The origins and early growth of Brisbane*, 1952 p. 175).

²¹ Romano, *We is Human Beings*, p. 48.

²² W. Ross Johnston (1988), *Brisbane the First 30 Years* Brisbane: Boolarong Press, p. 83.

²³ Johnston, *Brisbane the First 30 Years*, p. 82.

²⁴ QSA ID 714297, 'Plan of the limits of the town of Brisbane' (1843/ 1844).

When this configuration is mapped across known Aboriginal encampments, it is clear that it ensured access to major water reserves and that the core of European settlement was away from Aboriginal living areas. Aboriginal camps were either on the peripheries of the 'square' (which at the time were not inhabited by Europeans) or beyond the 'square' (see Figure 3).



Figure 3: relation of 1842-4 town borders to fresh water reserves and Aboriginal camps.

1845

A large paddock for the horses of the Border Police (ancestral to the Native Mounted Police) was delineated in 1845 between the river and what would become the Vulture Street boundary street. This was originally the convict corn field central to 1820s-1830s resistance, thus may have been a strategic move. The map clearly illustrates the old pathway (now a Colonial track, ancestral to the Vulture Street boundary) running beside the Woolloongabba waterholes (see Figure 4).²⁵

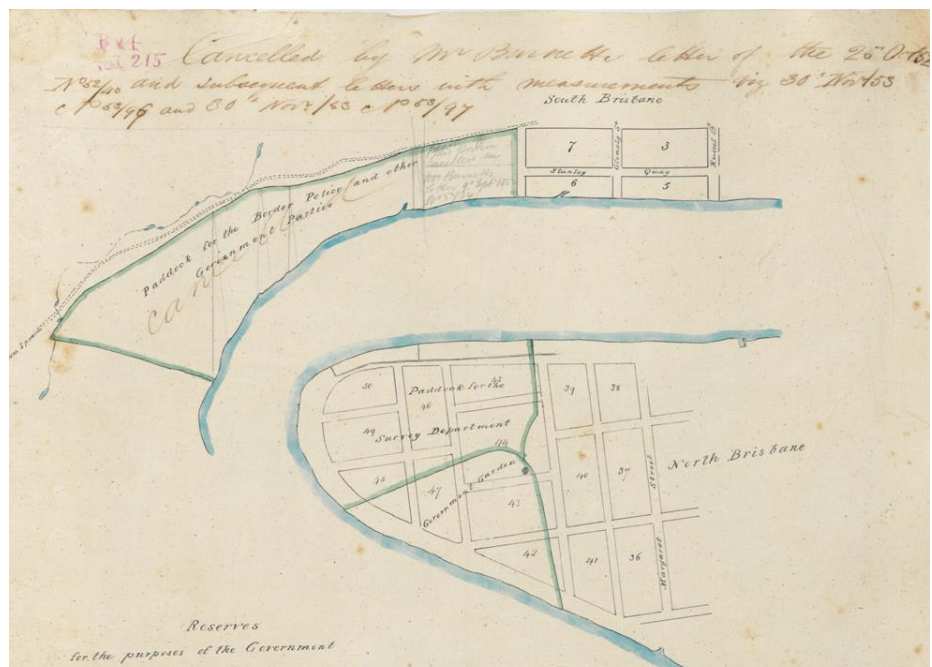


Figure 4: 1845 map showing border police horse paddock extending over the former convict-made corn field (scene of the corn fields raids 1827-1830) and up to the pathway that became the Vulture Street border in 1842.

²⁵ NSW State Archives, 'Reserves for the purposes of the Government, town of Brisbane' (1845).

1846

Historian Dr Ross Johnson summarized the additions of this period as follows:

...almost two years elapsed before the government decided to bring Brisbane within the provisions of the Police Towns Act of 1839. The town limits were drawn roughly into the shape of a square, straddling the river. (45) Plans B1110, h.i. COD84, f.111; NSW, GG, 1846, 537 - The Police Towns Act and the Dog Act were extended to Brisbane.”²⁶

Today the limits fall with Boundary Street on the north and west, Vulture Street on the south, and Wellington Road on the east. This act was aimed at the removal and prevention of nuisances and obstacles, and 'for the better alignment of the streets'. Wickham had complained in April 1846 that dogs, apparently without owners, were 'constantly prowling about'; pigs and goats were also a nuisance rambling about 'in search of food, destroying gardens, crops'. So the Police Towns Act and the Dog Act came to apply to Brisbane.' (46) Police Magistrate to Colonial Secretary, 25 April 1846, (2 letters), 4/2735.2, SANSW.²⁷

1847

Police Magistrate and Lieut. Blamire, J.P., with their assistants, Mr. Wm. Fitzpatrick, Chief Constable, and James Ramsay and Henry Finlay, constables, 'perambulated the limits of the town, in accordance with the 44th section of the Towns' Police Act' This was the first of the annual (Easter) police "perambulating" of the limits of Brisbane town.²⁸

1855

On the 'proposed extension of North Brisbane' we note '*proposed boundary for police and municipal purposes*.'²⁹ (see Figure 5). This 'new' alignment extended the realm of policing beyond the old (Spring Hill) Boundary Street and right up to the York's Hollow camp.

²⁶ Johnston, *Brisbane the First 30 Years*, p. 83.

²⁷ Johnston, *Brisbane the First 30 Years*, p. 83.

²⁸ *Moreton Bay Courier* 10th April, 1847, p. 3.

²⁹ QSA (Queensland State Archives) ID 634477, 'Proposed extension of North Brisbane' (1855).



Figure 5: section of 1855 extension map showing policing border at what is now Gregory Terrace, directly south of York's Hollow.

Thus, when these 1855 planned extensions are mapped against known Aboriginal encampments and the recorded routes used by Aboriginal peoples to travel in and out of Brisbane (for work and trade, and the routes along which they were usually 'driven out'), it becomes clear that civic/ policing planning took into consideration the control of Aboriginal residents and visitors (see Figure 6):

- The original Military Barracks (1) of 1830s-1840s was centrally placed in the original 'square' (A), and delineated by Spring Hill Boundary Street on the north side.

- The policing extension of 1855 (B) runs just below the York's Hollow camp ('Reserve for supply of Water/ Public Reserve') along what is now Gregory Terrace. York's Hollow camp is geographically hemmed in between the new Police/ Military Barracks site (2 - established in the 1860s at Normandy) and the Police Paddock (Constable Sneyd's land), allowing the camp to be monitored from both sides.
- Finally, the last planned extension (C) runs up to Enoggera (Breakfast) Creek and includes the Police Paddock where the police horses were kept. As noted, by the 1870s, Breakfast Creek became the boundary across which Aboriginal groups were regularly chased. On the east side of the same extension, the new border was Hale Street where, again, police eviction of Aboriginals was recalled. Moreover, the usual route for Aborigines entering and exiting from the west of Brisbane is effectively monitored by the position of the new barracks.

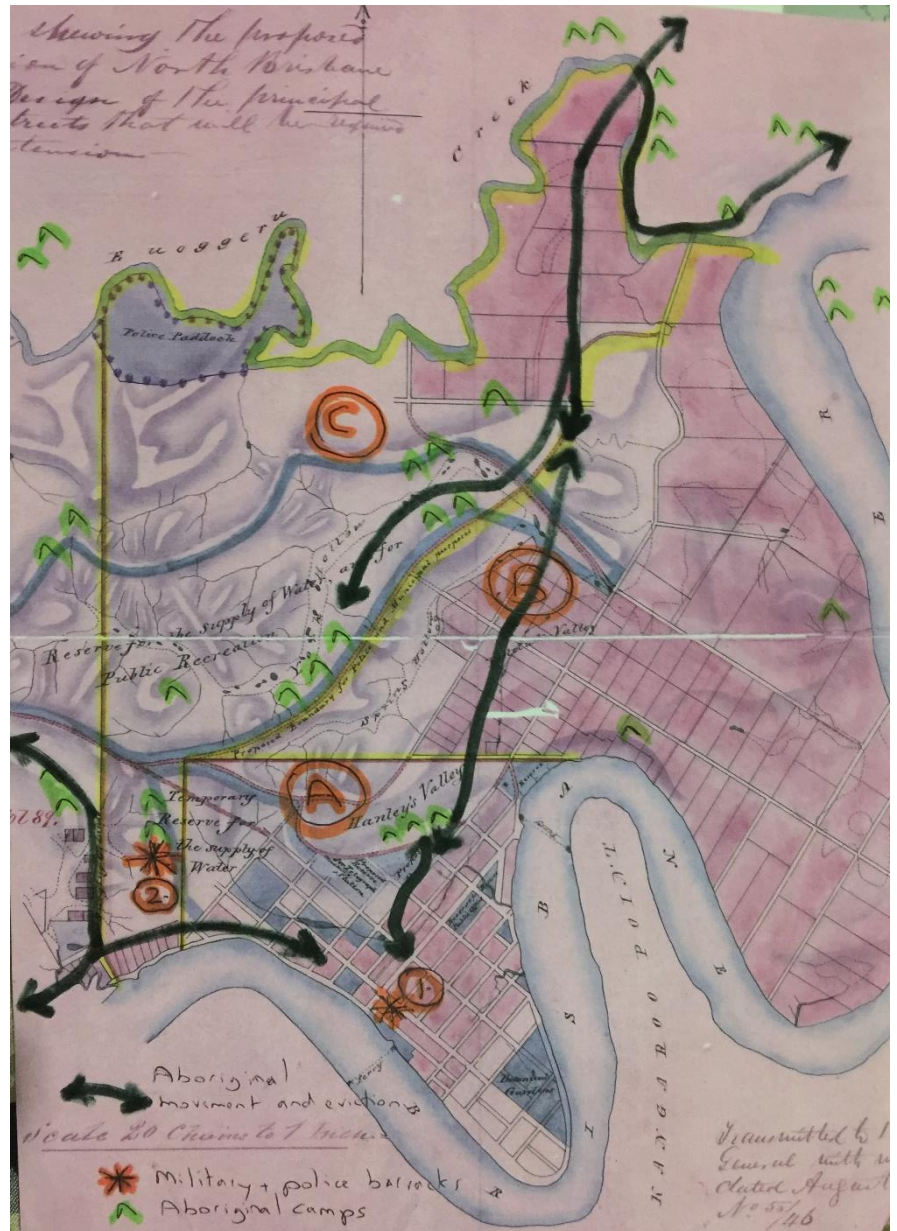


Figure 6: planned policing extensions in 1855, showing relationship between military/policing bases (barracks), Aboriginal camps and usual routes Aboriginal groups took in and out of Brisbane (or were regularly evicted along).

1856

Sir William Thomas Denison, Knight, Governor-General, authorised the extension of town boundaries, and use of boundaries for 'regulating the Police' for 'removing and preventing nuisances, and obstructions' between 'the boundaries of the said town of Brisbane' which is now extended to:

‘the north side of York’s Hollow Swamp, to the point west of the old road to Eagle Farm and opposite the ridge which divides York’s Swamp, to a point west of the old road to Eagle Farm, and opposite to the ridge which divides York’s and Spring Hollows...to the north extremity of the west side of Boundary street southerly to the south side of Vulture Street.’³⁰

Despite such delineation, South Brisbane’s Boundary Street appears simply as a line in a map of Brisbane from 1856.³¹

1858

South Brisbane’s Boundary Street and the other boundary streets are clearly delineated as roads, in their contemporary position.³² It is nevertheless obvious from the map that many subdivisions were unoccupied by Europeans at

that time, meaning that a fair portion of the landscape must have retained natural and Aboriginal cultural uses. Thus, as Dr Carol Go-Sam noted, these new ‘perimeter edges’ of Brisbane town ‘curiously corresponded with a lack of obvious (European) use or significance.’ She believed this was probably to ‘minimise Aboriginal resistance’ and to enable the settlers to live at some remove from Aboriginal residents engaged in daily activities.³³ As can be seen in Figure 7, Aboriginal base camps, tournament grounds, burial

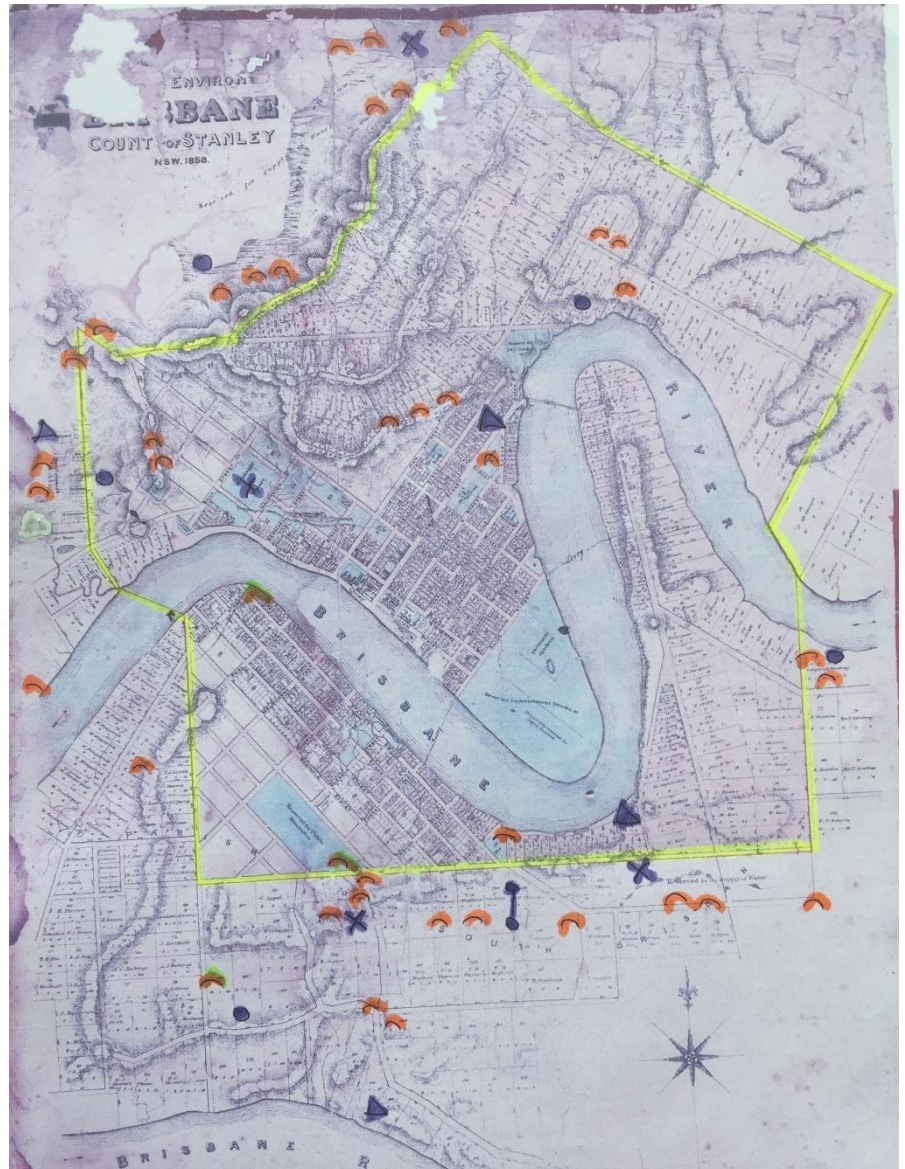


Figure 7: 1858 policing borders (yellow line) in relation to Aboriginal sites: camps (red arcs), dance and bora grounds (blue dots), burial grounds (blue triangles) and tournament grounds (blue Xs)

³⁰ *Moreton Bay Courier*, 16 August 1856 Page 2

³¹ QSA (Queensland State Archives) ID 71485, ‘Plan of the suggested extension of the town of Brisbane, Stanley’ (1856).

³² ‘Environs of Brisbane, County of Stanley NSW’ (1858).

³³ Carroll Go-Sam (2011), ‘Fabricating Blackness: Aboriginal identity constructs in the production and authorisation of architecture,’ *Proceedings of the XXVIII SAHANZ Annual Conference* Brisbane, Australia, 7-10 July 2011, pp.75-76.

grounds and bora grounds were for the most part located just beyond the new boundary streets, virtually creating a ‘whites only’ exclusion zone.

1859

After a preamble setting out that the Proclamation was issued under the provisions of the New South Wales Act entitled 'The Municipalities Act of 1859,' pursuant to a petition from the residents, the Proclamation goes on to declare the boundaries of the new Municipality.³⁴

1860

Boundary Street was marked as the border of the Electoral District of the Town of South Brisbane³⁵

4.0 Documentary evidence for a Boundary Streets Curfew

4.1 Firsthand accounts

Only a few firsthand (eyewitness) written accounts survive that indicate some type of curfew of Aboriginal persons was practiced in early Brisbane. These records mostly date from the 1850s to 1870s. They do not indicate under what authority such evictions were conducted. On the other hand, they prove the existence of a curfew.

4.1.1 ‘Orders’ for Sundays and ‘regular hour each day’ (1853)

Rev Henry Stobart, who arrived in Brisbane in 1853, remarked that:

...the blacks seem to leave this town at one regular hour each day.³⁶

His observation seems accurate as also in 1853, there was a court hearing in Brisbane reported in *Moreton Bay Courier* concerning a complaint that a citizen (Mr Sheridan) ‘swore’ at a Constable (Watts) and that Mr Sheridan interfered with the Constable’s efforts to ‘move on’ Aboriginal employees who were playing a game at Kangaroo Point. The news report

³⁴ Harry C. Perry (1923), *Memoirs of the Hon. Sir Robert Philp, K.C.M.G., 1851 – 1922*, Brisbane: Watson & Ferguson & Co., p. 19.

³⁵ Queensland Police Museum AU4100-1860, *Queensland Government Gazette*, 1859-1860, p. 17.

³⁶ Roslyn Kid, ‘Aboriginal History of the Princess Alexandra hospital site’ (Diamantina Association Health Care Inc), p. 85.

referred to 'orders' the police had, to remove Aboriginal persons on Sundays. It also remarked on the purported maltreatment of Aboriginal persons on the north side of the Brisbane River. The presiding police Magistrate (Mr Fairholme) decided the police 'order' was technically illegal, yet he acknowledged that the Constable was simply doing what he had been instructed. The Magistrate let the matter 'rest', convicting neither the citizen (Mr Sheridan) nor the Constable (Watts):

At about six o'clock on Sunday afternoon. Constable Watts saw four blacks, who are employed as servants by some gentlemen at Kangaroo Point, amusing themselves opposite Mr. Sheridan's door by throwing small sticks at each other, in imitation of a spear fight. ... *the constable, having orders to keep the blacks out of town on Sundays, immediately ordered them to desist, and go away.* ... Mr. Sheridan ...accused the constable of *being like those on the north side of the river, who had frequently injured the blacks.* ... Mr. Sheridan stated in defence that he only remonstrated with the constable for *unnecessarily interfering, as the blacks were not on the street, but on a green in front of his (Mr. Sheridan's house),* ... After consulting with Mr. Fairholme, who was also on the Bench in this case, the presiding magistrate said that *the orders under which the Constables acted in keeping the blacks out of town on Sundays, were illegal,* and therefore Mr. Sheridan might have considered himself justified in interfering. As to striking the black on the foot, the constable had no right to do it, and it was an assault. *But as he had instructions to keep the blacks away on Sunday he most likely thought he was doing his duty.* There the case must rest.³⁷

The account shows there was passive legal sanction for the *de facto* ('illegal') evicting of Aboriginal persons on Sundays, and also passive legal sanction for those who on some grounds or other opposed the practice. It indicates that police were doing their 'driving out' under 'orders' (presumably from their superiors) and that police and the courts made a distinction between Aboriginals they encountered 'on the streets' of Brisbane versus those present 'on the green' of specific properties. Presumably this distinction enabled some Aboriginal persons to remain in Brisbane beyond 'curfew hours' for work-related tasks.

4.1.2 'Within the boundary' and 'Aboriginal zones' (1858)

During 1858, there was a complaint to the *Moreton Bay Courier* that:

...savages have been within the suburbs, *if not actually within the town boundary at night.*³⁸

This implies that the presence of Aboriginal persons within Brisbane town limits at night was at that time considered either unwanted or illegal.

From around the same time, there is a traveller's observation that the Breakfast Creek-Ascot-Hamilton area (which as shown elsewhere was just across Breakfast Creek which was being used as a border across which Aboriginal people were driven) was essentially 'Aboriginal land,':

³⁷ Domestic Intelligence, *Moreton Bay Courier*, 8 October 1853, p.2.

³⁸ *Moreton Bay Courier* 3rd July 1858, p. 3

Between Breakfast Creek and Eagle Farm the land has been partially cleared of the scrub bordering the river, but there still remains some dense patches...*it being at present the rendezvous of the aboriginal tribes*...they became a dangerous pest to the small farmers dwelling in that neighbourhood.³⁹

4.1.3 ‘Shooting’ and charging into camps ‘beyond the town precincts’ (1860, 1864)

In 1860, there was a public complaint about the Brisbane Volunteer Rifles firing into Aboriginal camps at Breakfast Creek. The Volunteer Rifles replied that:

...they (the carbines) were discharged at the blacks’ camp because it is customary to discharge them once a week *beyond the precincts of the town*.⁴⁰

This suggests a tradition of shooting near Aboriginal camps, just outside of the town borders. Certainly, the Volunteer Rifles in 1864 also conducted a mock battle across the northern boundary street – towards Victoria Park and severely frightened Indigenous residents.⁴¹

4.1.4 ‘Dispersing’ Aboriginals camped around Brisbane (1863)

From 1863, we have an indirect reference to Aboriginal people being actually evicted from Brisbane. Reporting on events for the month of January, *Brisbane Courier* mentioned ‘great complaints’ had been made during the week. The complaints concerned ‘outrages’ by Aboriginal people ‘camped around the city.’ In response to this, ‘the police have been dispersing them.’⁴²

4.1.5 ‘Beyond the boundary’ in Ipswich, camp destroyed (1868)

In 1868 in nearby Ipswich, 80 to 100 Aboriginal people had camped ‘a short distance beyond the town boundary’⁴³ which suggests that the town boundary was a limit across which Aboriginal groups did not camp. That same year in Ipswich, it was reported that due to the frequency and size of Aboriginal visitation to Ipswich:

....the police drove them *beyond the boundary* yesterday afternoon, and subsequently broke up their camp on the north side of the river.⁴⁴

Thus it is clear that in towns very close to Brisbane, Aboriginal people were driven outside town boundaries, at least on some occasions.

³⁹ *Moreton Bay Courier*, 16 Feb 1859.

⁴⁰ *The North Australian*, 19 October 1860, p.3.

⁴¹ *Brisbane Courier*, 9 May 1864, p. 2.

⁴² ‘Events of the Month 17th-21st January,’ *Brisbane Courier* 16th February 1863, p.4.

⁴³ ‘Queensland’, *The Mercury* (Hobart) 8th July 1868, p 3.

⁴⁴ *Queensland Times*, 25th June 1868, p. 2.

4.1.6 Aboriginal group whipped and made to run (1875)

By far the most detailed account of use of the border streets was a news item by a “correspondent” published on 23rd April 1875 in *Sydney Morning Herald*:

We (in Brisbane) are suffering from the usual annual nuisance created by the distribution of blankets among the blacks. They are congregating in considerable numbers in camps near the city : and, as despite the law, publicans and others will supply them with drink by way of cheap wages for woodcutting and other odd jobs, the unfortunate creatures become noisy and offensive. They are not permitted to remain within the municipal boundaries after dark; but in order to enforce this regulation, they are driven out at the point of the whip by mounted troopers. This process is anything but an elevating sight, reminding the onlooker more of the hunting of vermin than of the enforcement of law against human beings ; and the way in which blackfellow, gins, and piccaninnies will take to the water when too hard pressed by the horses, makes the vermin comparison still stronger.⁴⁵

The article inflamed the anger of an unnamed Toowong resident, who on 1st May wrote a letter to the editor of *Brisbane Courier*, published on 3rd May 1875, to refute the account:

I was somewhat startled on reading ... "Our Brisbane Letter," (alleging) the aborigines of Queensland are hunted from the streets of Brisbane by mounted troopers armed with stock whips, to escape which they take to the water like rats- to the great amusement, I presume, of our small boy population. When such fibs as these are vouched for by one of ourselves to the editor of the leading journal of the adjoining colony, it is no wonder that still more extravagant reports should be published and accepted as truths... to say that the citizens of Brisbane stand calmly by and see half-clad women and children flogged through their streets by mounted troopers is too cross a libel for us to allow to pass without challenge.⁴⁶

In response to this, *Sydney Morning Herald* soon (7th May 1875) published the following letter, vindicating their stance:

Having been an eye-witness to what I consider a very curious proceeding on the part of the police, I therefore request that you publish this for the information of the public. On Saturday, the 17th of April. I was standing on the veranda of this hospital, with some of my friends, when our attention was drawn to a crowd of people coming from Brisbane, some of them mounted. At a distance, it appeared to be what is called in the old country a drag hunt; but as they approached to where we were standing we found that it was the police driving four or five (aboriginal) natives before them. They (the blacks) seemed to be fatigued from running, but that had no effect on these guardians of public order. As soon as the blacks commenced to walk, the police tried to ride over them with their horses, and when they came to within reach of the natives used their riding whips very freely on the backs of these unfortunate savages.⁴⁷

⁴⁵ ‘Our Brisbane Letter’, *Sydney Morning Herald*, 23rd April 1875, p.5.

⁴⁶ ‘Letter to the Editor’, *Brisbane Courier*, 3rd May 1875, p.3.

⁴⁷ ‘Queensland’, *The Sydney Morning Herald*, 7th May 1875, p.7.

A day later (8th May), the same letter was published in *Brisbane Courier*, but with the added detail that it was originally written on 1st May by a 'patient' staying in the Brisbane General Hospital (Bowen Bridge Road Herston).⁴⁸

Brisbane Courier printed the letter with some caution – including the accompanying rebuttal, and enquiries made by its editors and writers at the Hospital:

In the present issue appears a letter from another quarter, which circumstantially endorses the statements of the Herald's correspondent (of 23rd April). Being even after the receipt of this letter somewhat incredulous as to the exercise of uncalled for violence by the police, whom we have always regarded as a most moderate and respectable body of men, we yesterday instituted enquiries at the hospital. The persons from whom we sought additional information were officials of that institution whose evidence we could accept with confidence, which is scarcely the case with reference to the writer of the letter, as the latter, by his own confession and enquiries we have made as to his antecedents, might without unfairness be supposed to have particular reasons for wishing to bring discredit upon the force.⁴⁹

However, the hospital informants supported the 'patient's' account. Though *Brisbane Courier* quibbled over some details, the witnesses added more alarming elements: witnesses noted forced removal on several occasions; one saw 'a black (who) scrambled over the fence.' They also saw a 'lagging black' being lashed with 'a switch from some bush,' and when the Aborigines slowed down, 'troopers... pressed them with their horses':

One person to whom we addressed ourselves was an eye-witness on the occasion particularly referred to. Two mounted police passed the hospital driving before them several aborigines who were apparently as difficult to keep straight as pigs. Neither trooper had a whip; one had nothing whatever to strike with, the other had provided himself with a switch from some bush, which he did, once or twice within sight of our informant, apply to the shoulders of a lagging black. The dispenser to the hospital, who was next applied to, has on several occasions seen parties of blacks driven along the road by a trooper, but never saw a whip used except once when a black scrambled over the fence into the Acclimatisation Society's grounds, on which occasion the trooper flipped at him as he ordered him to come back. With regard to trying to ride over them, our first informant states that when the blacks loitered, the troopers simply pressed them with their horses. It appears, therefore, that, as far as we have been able to collect the impressions of impartial witnesses, the police have simply done their duty, both our informants agreeing that there was no undue or savage striking by the troopers.⁵⁰

The report derided 'the patient' for wrongly stating that Aborigines jumped into the river. Brisbane River is not near the Hospital. However, it admits the author probably mistook Breakfast Creek for the river:

At the same time some colour of foundation for the statement made by the S. M. Herald's correspondent has been shown to exist, although the occasions or scene

⁴⁸ 'The Police and the Aborigines', *Brisbane Courier* 8th May 1875, p.5.

⁴⁹ 'The Police and the Aborigines', *Brisbane Courier* 8th May 1875, p.5.

⁵⁰ *The Brisbane Courier*, 8th May 1875, Page 4.

cannot have been the same, as near the Hospital there is no river for the blacks to jump into, although Breakfast Creek may have been meant.⁵¹

Breakfast Creek is mentioned in other accounts as the barrier across which Aboriginals were chased. Thus this reference supports the authenticity of the observations. At the Hospital, it was relatively broad, as it joined the Brisbane River nearby, thus it could have been mistaken for the river itself (see Figure 8).

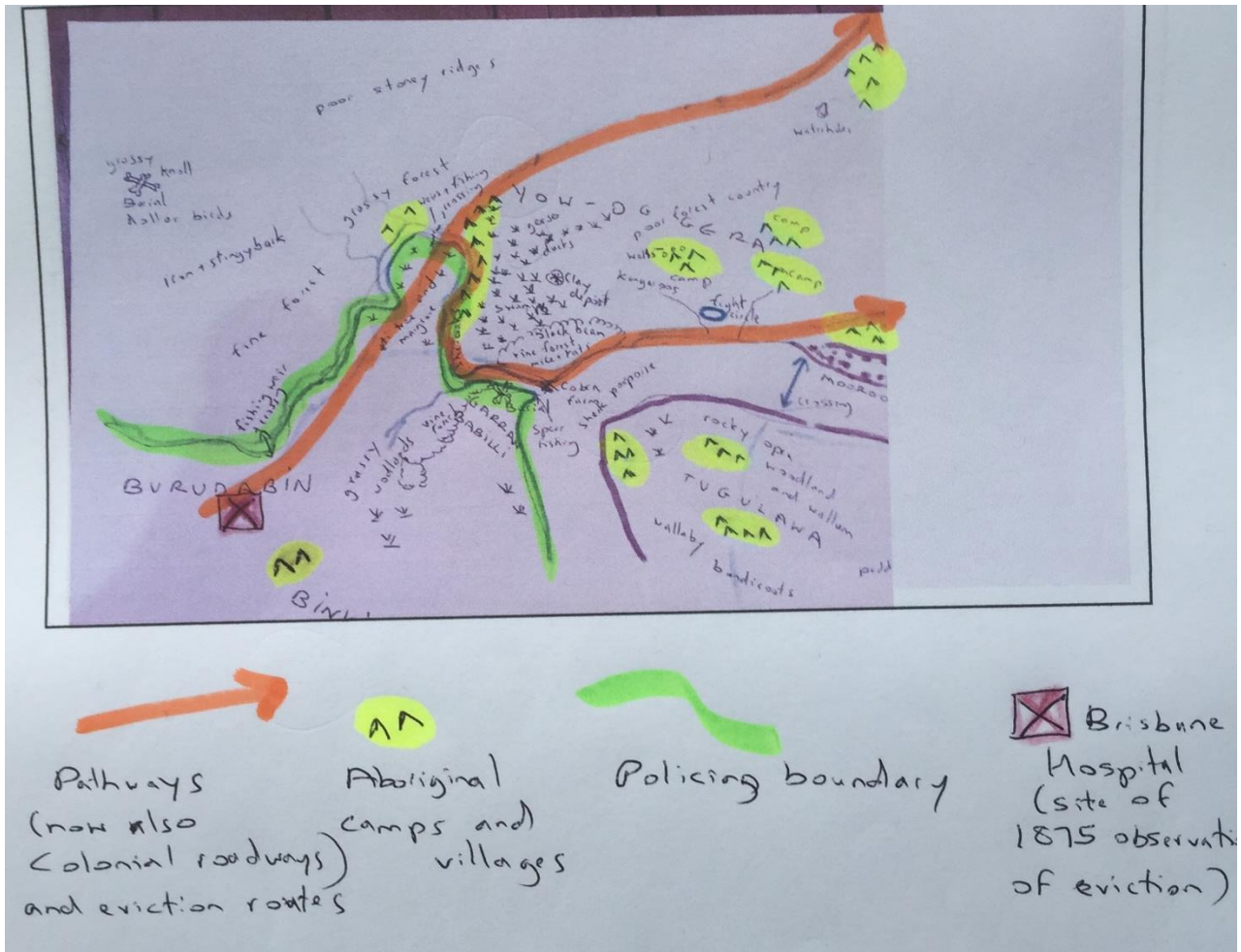


Figure 8: route of daily eviction of Aboriginal groups across Breakfast Creek in relation to known Aboriginal camping grounds, policing borders and Hospital site (mentioned in the 1875 article).

Brisbane Courier claimed that ‘the patient’ and the correspondent who first to *Sydney Morning Herald* on 23rd April were probably the same person:

It is curious... to note the similarity of illustration adopted by the correspondent of the *Herald* and the writer of the letter published today.⁵²

The conclusion was probably correct.

⁵¹ *The Brisbane Courier*, 8th May 1875, Page 4.

⁵² *The Brisbane Courier*, 8th May 1875, Page 4.

Brisbane Courier was mostly interested in absolving Brisbane's reputation, yet their evidence shows that by the 1870s, mounted troopers would regularly run groups of Aboriginal people out of the town boundaries, pressing them on with their horses and lashing them with whatever they had available, to the point that some would be forced to dive into water.

The news was re-printed on 22nd May in other New South Wales newspapers including *Queanbeyan Age* and *Albury Banner and Wogonga Express*. This suggests that the Brisbane practice was unusual or severe enough to arouse widespread attention.

5.0 Firsthand Reminiscences

All other written accounts concerning Boundary Streets 'curfew' are memories from early settlers or early visitors, written down by them or their associates, decades later.

Unfortunately, 'memory' can be plagued with vagueness, exaggeration and factual inaccuracy. For instance, the most commonly used quote concerning the 'Brisbane boundary streets' comes from James Darragh. In a letter to the *Brisbane Courier* in 1931, Darragh recalled that around 1872:

On the corner of Vulture-street and Wellington-road a large square wooden post indicated one of the town boundaries. There was a blacks' camp opposite Mowbray Park. The blacks paid daily visits to the Point, and I often saw Sergeant Collough turning them camp-wards at dusk -I am, sir, &c.⁵³

The quote was repeatedly used, for instance, by Colliver and Wolston in their classic 1980s study of Brisbane Aboriginal history and sites.⁵⁴ Darragh's memory has since been questioned, as the Sergeant he recalls could not have been part of proceedings at that time.

Even if possibly flawed, reminiscences provide a useful 'broad brush' image of past events, illuminating aspects not covered in official reports. When several memories are similar, we can arrive at some certainty over events and sites. In chronological order (of the 'time remembered') here are some concerning the 'Boundary Street curfew':

5.1 Curfew at 4pm (1926 re 1855)

According to Harry C Perry's *Memoirs*:

Because of their predatory instincts they (Aboriginals) were compelled to withdraw from the confines of the town by 4 o'clock each afternoon.⁵⁵

Mr Fleischmann likewise recollected that 'sixty-eight years ago' (= 1855) a 'round up' was a daily sunset practice:

⁵³ James Darragh. 'Letters to the Editor – Kangaroo Point', *The Brisbane Courier* 6 August 1931, p 19.

⁵⁴ Frederick Stanley Colliver, Frank P. Woolston, and Queensland Dept. of Aboriginal and Islanders Advancement (1985), 'Aboriginals in the Brisbane area,' *Archaeology papers No.6*, Brisbane: Archaeology Branch, pp. 1-24.

⁵⁵ Perry, *Memoirs of the Hon. Sir Robert Philp*, p.21.

Each day at sundown two mounted troopers would ‘round up’ the blacks with stockwhips, and drive them out to their camps.⁵⁶

5.2. ‘Sundown’ curfew (1934 re 1850s)

Chas Melton, well-known Brisbane resident:

The natives were allowed into town in the daytime, but turned out of town at sundown, and some of them were as well-known as many of the white citizens⁵⁷

53 Driven across Breakfast Creek (re 1860)

Sir Samuel Walker Griffith (1845-1920) was Chief Justice and twice Premier of Queensland, thus a reliable source, especially as he kept meticulous records. He recalled Aborigines driven after curfew into a camp at Bowen Hills in the later 1860s.⁵⁸ This was doubtless across Breakfast Creek and onto the camp on the other side of Abbotsford Road Bridge as this is the only one technically in Bowen Hills.

5.4 ‘Hunted out’ past Wickham Terrace (1931 re 1860s-1870)

Mrs Buchanan, recalling her life sixty to seventy years earlier (1860s-1870s):

The blacks were hunted out of the town by the mounted police at sunset. Even so, families going from Queen Street to the windmill on Wickham Terrace would make up parties because they were nervous of the aborigines’⁵⁹

5.5 Shooting Aborigines crossing Breakfast Creek (1932 re c.1872)

Mr Lord, a renowned authority on southern Queensland homesteads and garden history in 1932 recalled what knew about Breakfast Creek:

Every evening all Aborigines – especially those selling in the streets of Brisbane - were chased across Breakfast Creek by the police. On one occasions, the troopers joked about shooting them as they swam, but the Commander threatened to shoot anyone who tired.⁶⁰

⁵⁶ *Queensland Times*, 26 June 1926, p.4.

⁵⁷ Brisbane in the Early Days, *The Telegraph*, 19 May 1934, p.16.

⁵⁸ Raymond Evans (1974), ‘Aborigines of the Brisbane area’, *Moreton Bay sesqui-centenary, 1824-1974*, Brisbane: Library Board of Queensland, Brisbane, p. 14.

⁵⁹ Early Brisbane, *The Telegraph*, 12 December 1931, p.13.

⁶⁰ F E Lord, *The Queenslander* 12 May 1932, p. 35.

5.6 ‘Day camp’, sales and eviction route (1933 re 1870s)

There is an anonymous memory from 1933 that roughly in the 1870s:

There was a *black's day camp* at the corner of Brunswick and Ivory Streets. As a rule the blacks roamed the streets during the day, the gins carrying the picanninies in a net bag slung over their backs and accompanied by a host of mongrel mangy dogs. The bucks sold oysters, ferns, and clothes props and went away begging tucker. They were usually chased over Breakfast Creek Bridge (by the police) at sundown.⁶¹

The author of the above account was probably Mr Kohlberg, a descendant of the Nundah German missionaries, as he is recorded as providing a very similar story for Zillmere's unpublished *Local Studies*:

...as a rule the blacks roamed up through the streets into the main part of the town during the day. ...The bucks sold oysters and clothes-props to whoever would buy and would go away after receiving some food for payment. At sundown when the oil lamps in the main streets were lit, they were all chased away by the police, down through the Fortitude Valley and northward... then over the Breakfast Creek.⁶²

5.7 Enoggera Creek eviction route (1877-1880)

In 1877, Carl Lentz arrived in Moreton Bay as a boy of eight. His *Memoirs* give his childhood recollections of early Brisbane:

He recalled in his Memoirs how mounted troopers used to ride about at 4 pm cracking stockwhips as a signal for the Aboriginals to leave town. It is known that one of the town boundaries for this purpose was the Enoggera Creek Crossing at what is now Bancroft Park, Kelvin Grove.⁶³

5.8 Vulture Street boundary (1923 re 1880-1885)

William Stephens, early South Brisbane pioneer and founder of Somerville House related how the camp behind his home was the refuge of those daily evicted ‘at sundown’:

I can well recollect that they used to have to get out of town every day at sundown, and they used to camp at the water holes at the back of our home in Vulture street, South Brisbane, where we lived for 50 years. Vulture Street was the town boundary, and once the blacks passed over that thorough fare they were right. No, the aborigines did not give any trouble.⁶⁴

⁶¹ ‘The Blacks,’ *The Telegraph* 29 April 1933, p.6

⁶² Mr Kohlberg in *Zillmere Local Studies* (Zillmere Library), n/d, pp. 19-20.

⁶³ Carl Lentz in Pat Comber, ‘Aboriginals of North Brisbane’, Mitchelton Library Local Studies Enoggera-Gaythorne-Alderley MSS

⁶⁴ William Stephens, *Telegraph* 8 September 1923, p. 15.

5.9 Kedron (Kedron Brook) eviction route (1930 re c.1880-1890)

Mr. and Mrs. Peter Smith of Ramsay Street Kedron celebrated their Golden Wedding (= 50 years) Anniversary in 1930 by reminiscing on early Brisbane. They recalled (presumably concerning the 1880s) that Aboriginal people would travel down along Kedron Brook into Brisbane, where they would be ‘hunted out’:

They used to come down periodically for blankets, and when down they used to refuse to return. They made great nuisances of themselves until they were hunted away⁶⁵.

5.10 Hale Street eviction route (1924 & 1947 re c.1885-1895)

Hale Street was originally one of the ‘boundary’ streets.⁶⁶ In 1947, Mrs Hancox, whose family had lived in the area many decades, recalled:

Aboriginals were 'cleared out' of the city at sunset and used to go past our place making a big noise at times.⁶⁷

In these times, what is now Suncorp Stadium was an important camp from where Aboriginal people daily went to work, beg or trade in Brisbane:

At that time the aboriginals were rather plentiful. Where Christ Church, Milton, now stands was a great camping ground, and the blacks used to go into town every morning, some carrying small bundles of wood (for sale).⁶⁸

5.11 Red Hill/ Ashgrove eviction (1931 re 1880s-1890s?)

In 1930, Mr Carmichael - a retired chemist – recalled (presumably regarding the 1890s or 1880s):

Aboriginals were common in Red Hill then. They trekked into town every morning from their camps around Ashgrove and went out again at sun down; and they begged a "bit of 'baccy' " on the way.⁶⁹

6.0 Frontier conflict near border streets

⁶⁵ *The Telegraph* 8 March 1930, p.14.

⁶⁶ ‘The Growth of Paddington,’ *The Brisbane Courier*, 25 October 1930 p 21

⁶⁷ ‘Days when the Blacks Roamed in Paddington’, *Sunday Mail*, 20 March 1938 p 40; ‘To the Editor’, *The Courier Mail*, 3 November 1947 p 2

⁶⁸ ‘Memories of Brisbane and New South Wales,’ *The Brisbane Courier* 28 June 1924, p 16.

⁶⁹ “From Bush Roads to City Streets” *The Brisbane Courier* 21 June 1930, p.11.

A common theme in the oral story of Boundary Street amongst the Indigenous community of Brisbane, which Diana Romano's thesis neatly summarized, is that:

...conflicts led to town boundaries being demarcated along Boundary and Vulture Streets in Kurilpa and Spring Hill in the 1850s, and a curfew was enacted, which prohibited Aboriginal people from entering the town after 4pm and on Sundays.⁷⁰

Alex Bond (a Kabi researcher) went so far as to describe Breakfast Creek as a battle zone or front line: 'it was a boundary established by the colonial government after my people ran them out of Eagle Farm for not paying rent'⁷¹

⁷⁰ Diana Romano (2008), *'We is Human Beings. Musgrave People'*. *Connecting to Urbanised Place and Country in Musgrave Park, South Brisbane A thesis submitted in partial fulfilment of the requirements of a Bachelor of Arts with Honours Degree in the School of Social Science*, The University of Queensland, 2May 2008, pp. 309-310

⁷¹ Alex Bond, personal communication to Ray Kerkhove, Woombye 2008 & Alex Bond (2009), *The Statesman, The Warrior and The Songman* Nambour: ICP, p.29.

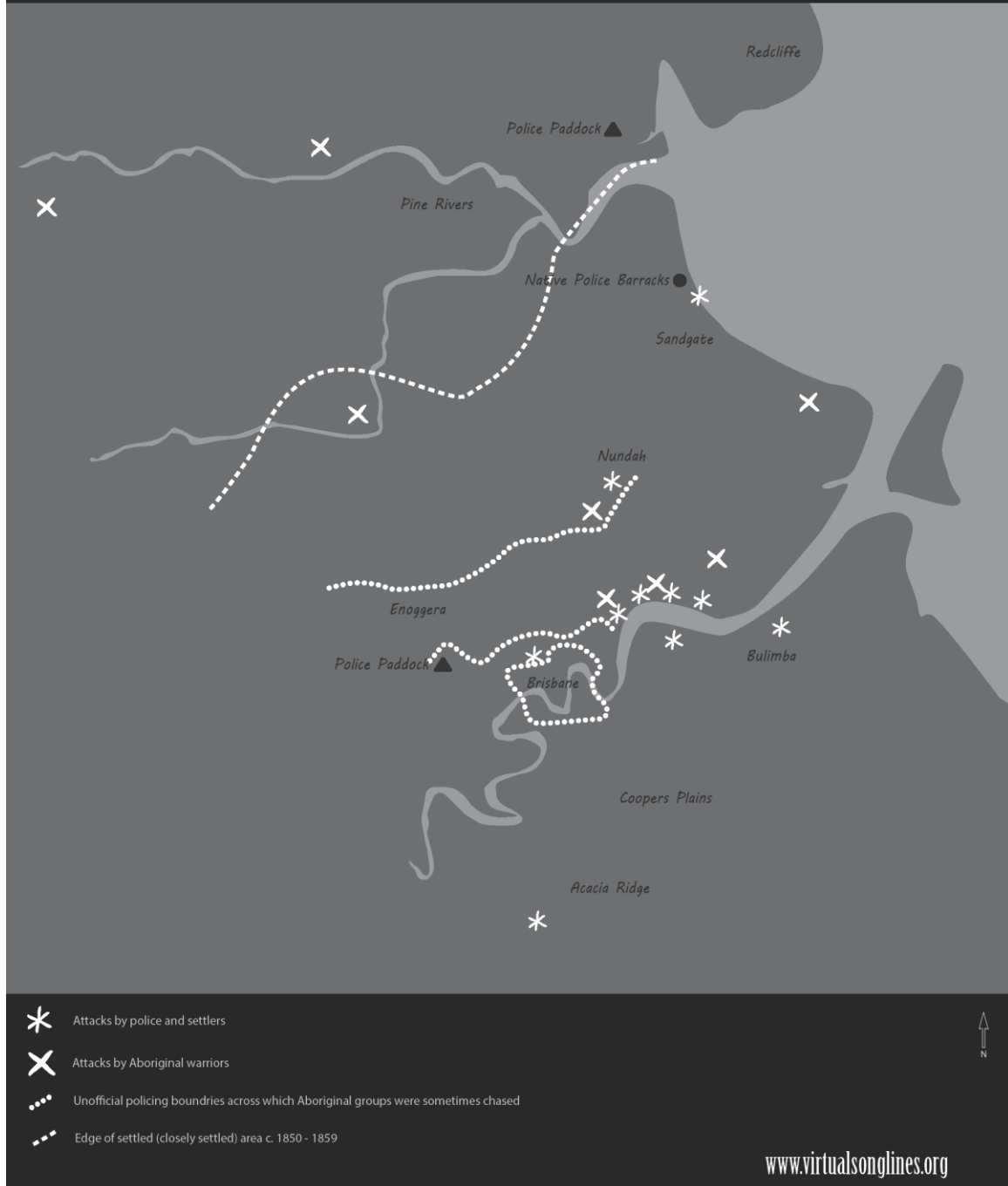


Figure 9: Brisbane 'city limits' borders 1840s-1850s in relation to nearby frontier skirmishes and broader 'eviction zones' and frontlines of frontier fighting

There is evidence for many violent incidents on 'the other side of the fence' from the City Borders during the 1840s-1870s (see Figure 9). This suggests the town boundary streets were used as a civilian buffer zone, beyond which the full brunt of frontier violence was

conducted. Some of the key skirmishes and raids just ‘beyond the city limits’ were as follows:

1846 (20 December)

300-400 corroboree at York’s Hollow camp; a group of 4-10 settlers and assistants including Constable Peter Murphy, Shannon, Uhr and Jackey (assistant) try to apprehend Jackey Jackey; kill dogs, burn down camp, wound many (shoot Duke of York & Kitty) and destroy utensils.⁷²

1846-7

Ommuli dragged to death: Ommuli (reistance leader Dundalli’s brother) stages various attacks, resulting in a police hunt. He is caught at the camp not far from the Women’s Hospital site, and dragged behind a horse through the streets (evidently an attempt to take him to the Queen Street court house) but dies from the rope strangling him as he is dragged.

1849 (28 November)

100-500 (50 nearby) camping - rumour of cattle spearing; 24 soldiers (2 divisions) of 11th Regiment fire into York’s Hollow camp – at least 3-12 wounded, boomerangs thrown; residents retreat to Breakfast Creek camps.⁷³

1848/ 1850 battle with Chinese

A combined (inter-tribal) battle against the first or second shipment of Chinese workers (some 56 men) at York’s Hollow, when the Chinese attempted to set up camp there. The Chinese were ousted and sent out for employment on the Darling Downs.⁷⁴ The main battle occurred between the Brisbane, Downs and other groups arranged against the Chinese, and extended from Petrie’s house (Petrie’s Bight) to the Gaol (GPO) with Othamgoo Gangy (also called Wigga Nagh) of the Ningy Ningy ‘distinguishing himself’ as a warrior with skillful stone-throwing.⁷⁵ Another battle with the Chinese occurred at what is now South Bank, below Musgrave Park (roughly Glenelg and Ernest Streets).

1852 (April to July)

Billy Barlow, Tinkabed and other leaders with group of 40 raid Mr Bullock’s home (Eagle Farm) and destroy/ take almost all potato crop; break open Salisbury’s home with group of 12 – rob, throw tomahawk, and then march on Cash’s property (towards Pine) with group of 200. In response, eight mounted police from two divisions (including Constables Sneyd, McAllister, Swinburne and Murphy) and “a large

⁷² *Moreton Bay Courier* 3 February 1847 p. 2; ‘The Aborigines – Moreton Bay’, *Sydney Morning Herald* 23 February 1847 p. 2; *Sydney Chronicle*, 24 February 1847, p.4.

⁷³ Raymond Evans (2004), ‘Racial Assaults 1849: Victoria Park, Herston,’ in Raymond Evans & Carole Ferrier, eds, *Radical Brisbane: An Unruly History*, Carlton North: Vulgar Press, pp. 35-7.

⁷⁴ ‘The Chinese Question’, *The Darling Downs Gazette and General Advertiser*, 4 August 1877 p 2

⁷⁵ *The Brisbane Courier*, 14 April 1906, p. 6.

number” of vigilante settlers ambush and arrest Tinkabed and try to reach camps but boggy path and high waters prevent them. District Constable Murphy & 4 other constables (total 5) preceded them. Breakfast Creek warriors defiantly shout abuse at the police and brandish weapons from other side of creek. Eventually, the white party reaches camp but find it empty. The police and settlers destroy and burn down all huts, weapons, utensils.⁷⁶

1859 (August)

Second destruction of Breakfast Creek camps: five police shoot into camps, killing one woman, injuring several others including children, then destroy and burn down huts (including all food and utensils) and evict the inhabitants – over 100 Aboriginals resident – many being “harmless” employees on nearby farms. Considerable media outcry (across Australia), Capt Wickham offers reward to apprehend guilty parties.

1861 (December)

Breakfast Creek camp residents reportedly ‘riotous’ – continually insult and rob white travellers; stone and rob travellers – have to be driven off drays; Constable Griffin and two mounted police raid camp and arrest Harry Pring. Pring threatens to tomahawk judge and other prosecutors.

1862

Breakfast Creek camp residents continually harass, and rob travellers; Constable Griffin and one mounted trooper visit camps several times and disperse inhabitants, but the residents return each night.

1865

Breakfast Creek blacks attack two Constables in Valley. This is followed by third destruction of Breakfast Creek camps as punishment.

1867 (February)

Breakfast Creek camps ‘very troublesome... annoying’ to white residents. Fourth destruction of Breakfast Creek camps: several Mounted Police under Sub-Inspector Gough raid camp and disperse inhabitants.

1867

Volunteer Rifles stage a practice battle at Victoria Park and mock-attack York’s Hollow camp. They ‘gain the brow of the hill’ and greatly frighten ‘a number of blacks, gins and picaninnies.’⁷⁷

⁷⁶ Anastasia Dukova (2020), *To Preserve and protect: policing Colonial Brisbane*, St Lucia: University of Queensland Press, p.43.

⁷⁷ ‘Volunteer Review’, *Brisbane Courier*, 16 December 1867, p.3.

1873 (November)

After a corroboree on Pine Rivers, a sizable party of Aboriginals attempt to sack a laden dray towards Bowen Bridge (just beyond Breakfast Creek). Abattoir workers fight with the attackers and capture two; mounted police disperse the group and take the two prisoners into custody.

7.0 Controversies and myths

Various stories have developed around Brisbane's Boundary Streets and its curfews. Here we will dissect the evidence for each.

7.1 Were there 'curfew laws'?

Restrictions on Aboriginal movement certainly forbade Aboriginal presence in and around various facilities and across whole regions of Australia during the 19th Century (hence the Reserve system, which effectively removed Aboriginal persons from most towns). As late as 1947, a curfew on Aboriginal presence was ordered for the city of Darwin:

Under an ordinance just gazetted, a curfew is imposed on aboriginals in the town and environs of Darwin. Between 7 in the evening and 6 a.m. no aboriginal can roam in this area without a pass from his employer.⁷⁸

Despite this reality, the legality, frequency and nature of curfews within Queensland, and within Brisbane in particular, remains a mystery. In 1879, an Aboriginal kangaroo hunter in Roma was thrown into gaol for being present in town 'after sundown.' Rather than applaud the action, the *Western Champion* (a Barcaldine/ Blackall based paper) criticized Roma police:

We do not know by what Act of Parliament a blackfellow can be arrested for walking about in a public place after sundown, but evidently it is legal, for we read in the *Western Star* that Charley the chief kangaroo hunter of Roma, was sentenced to one month in gaol for being out after sundown. While passing sentence, the Police Magistrate told the Sergeant that "all aboriginals found walking about after sundown should be arrested, as it was evident they were not out late at night for any lawful purpose." Poor beggars! William the Conqueror with his curfew bell has immigrated to Australia, and the aboriginals of to-day, like the Saxons of old, must go to bed with the birds.⁷⁹

The *West End Magazine* claimed that Queensland historian Dr Ross Johnson found Boundary Street curfews to originate as a measure to ensure public safety after a large Aboriginal fight occurred in Kangaroo Point (presumably of 1847).⁸⁰ A closer reading of Johnson's work

⁷⁸ 'Curfew on Darwin Abos', *Sunday Times* (Perth), 30 November 1947, p 1.

⁷⁹ 'Local and General News: A Kangaroo Hunter in Trouble', *The Western Champion*, 11 October 1879, p 2.

⁸⁰ 'Stories of Our Streets,' <https://www.westendmagazine.com/the-stories-of-our-streets/>

reveals he discussed European fear (and lack of understanding) concerning Aboriginal traditional duels, and Brisbane settlers' call for police protection after the military were withdrawn from Moreton Bay (which occurred a year before, in 1846).⁸¹ Thus Johnson did not posit or find a direct connection between traditional Aboriginal tournaments and the later curfew.

Nevertheless, it is certain that settler fears and their requests for police protection during the 1840s and 1850s played a major role in the development of the Brisbane curfew. Even so, the legal framework remains enigmatic. After some years of effort, Brisbane historian Dr Bill Metcalf admitted he 'utterly failed to find any legislation' concerning curfews or any Council or policing bye-laws specific to Aboriginal persons. He conducted that the police possibly acted outside of the law.⁸² Likewise, Daryll Bellingham, a professional narrative consultant who has conducted possibly the most research on the Boundary Streets, has not found anything specific in the Acts and Laws that underpinned the Boundary Streets relating to Aboriginal persons. The *NSW Institution 1858 Act* concerned the 'removal of nuisances' but the same law defines 'nuisances' as 'privy urinal...carcass of animal' and similar obstructions.⁸³ Yet in both 1868 and 1875, some sources described Aboriginals as 'a great nuisance' or 'the usual annual nuisance'.⁸⁴

On 18th April 1861 R G Herbert of the Colonial Secretary's Office issued 'Bye-Law No.4.' This expanded the *Municipalities Act of 1858* to enable the 'the general good rule and government of the Municipality.'⁸⁵ The bye-law does not specifically name Aboriginal people. It is however possible that whenever Aboriginal behaviour was deemed against 'good rule', Bye-Law No.4 enabled the police to take actions against them.

At any rate, in 1858, it was reported that 'savages have been within the suburbs, *if not actually within the town boundary at night*' and that 'it is impossible for our small police force *to maintain the regulation and drive them out*'⁸⁶ - implying some sort of police 'regulation' existed concerning the town boundaries. Significantly, the item goes on to note that this was a Town Police matter and was not permitted for the Native Mounted Police.⁸⁷

Historian Dr Ros Kid concluded that Aboriginal people first became 'targets' of a curfew in Brisbane sometime in the early 1850s. However, because police were so few and Aboriginal residents and visitors so numerous, the 'regulation' (whether legal or *de facto*) was not enforced with any regularity, whereas 'by 1877 it would appear the curfew was more efficiently applied.'⁸⁸

⁸¹ Johnston, *Brisbane – the first thirty years*, p.177.

⁸² Bill Metcalf, email to Ray Kerkhove, 27 June 2016.

⁸³ Daryll Bellingham, email to Ray Kerkhove, 25 March 2021.

⁸⁴ 'Queensland', *The Mercury* (Hobart) 8 July 1868, p 3; 'Our Brisbane Letter', *Sydney Morning Herald*, 23 April 1875, p.5

⁸⁵ Queensland Police Museum AU4100-1861, 'Municipality of Brisbane Bye-Law No.4, *Queensland Government Gazette*, 1861, p. 219.

⁸⁶ *Moreton Bay Courier* 3 July 1858, p. 3.

⁸⁷ *Moreton Bay Courier* 3 July 1858, p. 3

⁸⁸ Kid, 'Aboriginal History of the Princess Alexandra hospital site', p. 17.

7.2 Were Aboriginal people totally excluded from Brisbane?

Many respondents to the 2016 petition were of the opinion that ‘Indigenous persons... were not permitted to Boundary streets after curfew.’⁸⁹ This gives the impression that Aboriginal people were fully excluded from the precincts of Brisbane by the 1840s-1850s.

In fact, the opposite is true. During the day, large numbers of Aboriginal people frequented Brisbane to work, trade, beg, enjoy local entertainments and partake in parades and celebrations. A traveller from Melbourne, visiting in the 1850s remarked:

To a casual visitor of Moreton Bay nothing is more striking than the very large number of aborigines who still flock into the towns, and present themselves to observation in all directions. ...The streets of Brisbane, too, are constantly beset by the blacks, and on every side they form an appreciable percentage even of the labour-power of the colony.⁹⁰

There were still some Aboriginal people camping at Victoria Park and Red Hill into the 1890s – even attending in large numbers for ‘blanket days.’⁹¹ Although there is consensus that these groups were expected to depart the city by sundown, it should be remembered that until recent decades, most Brisbane businesses closed at sundown and – excepting places of entertainment- the city centre was largely deserted after dark and on Sundays.

7.3 Did police regularly patrol town borders?

Some contributors to the 2016 petition to change Brisbane’s Boundary Streets held the belief that ‘troopers rode the perimeter cracking stock whips to enforce such tyranny’.⁹²

In fact, in the mid-1850s, Constable Sneyd only had 8 constables to police the entire town.⁹³ Thus regular patrols of town limits were impossible. There was a ceremonial ‘perambulation’ of the border streets conducted by police around Easter each year, but expulsion occurred in a more haphazard and irregular fashion. Often it was prompted by a white resident complaining about rowdy or ‘dangerous’ looking Aboriginals in their vicinity. At other times, it seems Aboriginal people were left alone.

European residents of 19th Century Brisbane regularly complained about police being under equipped or inefficient in driving out Aboriginal residents, at least during the early decades of Brisbane’s existence. In 1859, it was requested that police develop a set curfew and start a ‘special service’ to help impose it:

...for the sake of those who live on the outside prompt measures should be taken to ensure the exit of every aboriginal before evening sets in.... it would not be amiss if

⁸⁹ ‘How Boundary Street in West End and Spring Hill Got Its Name’.

⁹⁰ ‘Moreton Bay. No. II,’ *The Moreton Bay Courier*, 19 September 185, p 2.

⁹¹ Thom Blake in Rod Fisher (1994), ed, *Brisbane – The Aboriginal Presence 1824-1850* Brisbane: Brisbane History Group Papers No. 12, p. 50; ‘Kelvin Grove – A Fine Record of Progress; Popular Residential area,’ 23 August 1930 newclipping (unsourced) - Ashgrove Library Local Studies mss.

⁹² ‘How Boundary Street in West End and Spring Hill Got Its Name.’

⁹³ Dukova, *To Preserve and protect*, pp.40-1.

special service was made by the police for a few weeks in the outside of the town after five or six o'clock in the afternoon.⁹⁴

This suggests police had not managed to effectively enforce a curfew by that time (1859).

7.4 Did police whip Aboriginal persons?

The answer to this question seems a resounding 'yes.' There is a firsthand account describing the whipping of Aboriginals being driven from Brisbane was published on in 1875 in the *Sydney Morning Herald*:

...they are driven out at the point of the whip by mounted troopers.⁹⁵

...when they came to within reach of the natives, (the troopers) used their riding whips very freely on the backs of these unfortunate savages.⁹⁶

On 8th May *Brisbane Courier* investigated this report and interviewed witnesses to the incident. The witnesses confirmed some details but not others:

One person ...(said) neither trooper had a whip; one had nothing whatever to strike with, the other had provided himself with a switch from some bush, which he did, once or twice within sight of our informant, apply to the shoulders of a lagging black. (Another person)... had on several occasions seen parties of blacks driven along the road by a trooper, but never saw a whip used except once when a black scrambled over the fence into the Acclimatisation Society's grounds, on which occasion the trooper flipped (the whip) at him as he ordered him to come back.⁹⁷

According to Dr Anastasia Dukova, who has specialised in Queensland police history, police at this time were not issued with whips thus more likely resorted to saddle straps and also could rarely use their mounts as this was reserved for dispersing riots.⁹⁸ However, a year after the *Brisbane Courier*'s report (October 1876), Queensland's Police Commissioner David Thompson Seymour issued *General Order 596*. This addressed how his police "have in some instances used whips to repel the Aborigines from certain towns." He ordered this practice to be discontinued, adding that any member who flogged or authorised flogging of Aboriginal persons would now be immediately dismissed.⁹⁹

7.5 Was Spring Hill's Boundary Road fenced?

The *Brisbane History* website stated that Spring Hill's Boundary Street was begun as a fenced track, designed to keep out Aboriginals:

⁹⁴ *Moreton Bay Courier*, 20 December 1859, p. 2.

⁹⁵ 'Our Brisbane Letter', *Sydney Morning Herald*, 23rd April 1875, p.5.

⁹⁶ 'Queensland', *The Sydney Morning Herald*, 7th May 1875, p.7.

⁹⁷ *The Brisbane Courier*, 8th May 1875, Page 4.

⁹⁸ Anastasia Dukova, email to Ray Kerkhove, 25 April 2017.

⁹⁹ Dukova, *To Preserve and protect*, p. 43.

One of the oldest streets in Brisbane is Boundary Street. Each night a curfew was imposed and a fence was erected to keep Aborigines out of the city limits. The track that ran along the boundary fence was later named Boundary Street¹⁰⁰

I cannot find any evidence that the original purpose of the fence was exclusion of Aboriginal residents. On the other hand, there was certainly a fence along the original road, built very very early. The land limit during penal settlement (1830s) was marked by a fence which extended from Petrie Bight over Spring Hill to Boundary Street.¹⁰¹ There was additionally (later) a two-railed fence running along Wickham Street.¹⁰² Well into the 1850s, the fence still ran over Spring Hill, terminating along Boundary-street at what is now Petrie's Bight.¹⁰³ Apart from marking town limits, fenced roads were used as boundaries for land selections according to *Land Act of 1897*.¹⁰⁴

This does not mean such fences were never used to keep out Aboriginal groups. As late as the 1940s, there were efforts to 'fence off' Aboriginal areas such as the Aboriginal portion of the Beaudesert cemetery.¹⁰⁵ On early maps and sketches, the Wickham Street Windmill is depicted surrounded by a palisade fence. This may have been constructed to deter convict theft of flour but more likely protected the flour supplies from depletion by the Aboriginal encampment nearby (Yilbung and his people are known to have extracted a regular 'rent' from the Mill in 1846). Thus it is not inconceivable that the Spring Hill's boundary fence came to be used to deter Aboriginal residents.

7.6 *Did 'trespass posts' exist?*

In 2012, Tania Shafer, on behalf of the State Library of Queensland, posted that, according to the information provided by Loris Williams:

...white poles were placed in front of properties to inform Aboriginal people and police that Aboriginals were not allowed to venture further. These poles were known as boundary posts.¹⁰⁶

¹⁰⁰ 'History of Fortitude Valley and Boundary Street Brisbane', 14 December 2011

http://www.brisbanehistory.com/fortitude_valley.html accessed 28 March 2021

¹⁰¹ 'The Brisbane Settlement: Queen Street in 1835', *Sunday Mail*, 10 May 1931, p. 22.

¹⁰² 'Fortitude Valley', *The Week*, 12 February 1926, p. 30.

¹⁰³ 'Brisbane and Its Institutions: General Post Office – built on Gaol Hill No. VIII,' *Daily Mirror* (Brisbane), 28 January 1922, p.14.

¹⁰⁴ 'Notices to Correspondents', *The Queenslander*, 3 June 1899, p.1044.

¹⁰⁵ 'Beaudesert Shire Council,' *The Beaudesert Times*, 21 November 1941, p.7.

¹⁰⁶ Tania Shafer, 'Aboriginal Boundary Posts', in JOL Admin, *State Library of Queensland* (blog), 20 January 2012, <https://www.slq.qld.gov.au/blog/aboriginal-boundary-posts> accessed 28 March 2021.



Figure 10: Boundary post near Sommerville House (UQ Fryer FL 479 Miscellaneous Photos Box 5, Photos 745-6 (donated by Mrs R B Robertson, Wellington Point).

Supporting this interpretation, there is the earlier-mentioned memory of James Darragh:

On the corner of Vulture-street and Wellington-road a large square wooden post indicated one of the town boundaries. There was a blacks' camp opposite Mowbray Park. The blacks paid daily visits to the Point, and I often saw Sergeant Collough turning them camp-wards at dusk -I am, sir, &c.¹⁰⁷

Only one photograph survives of such a post (Figure 10). It shows the area that became Sommerville House (Vulture Street) with a post just in front of the fence (to the right of the house gates). The photograph features on Plate xvi of Ralph Cilento's *Triumph In The Tropics: an historical sketch of Queensland* (1959) where it is described as a post erected to limit Aboriginal approach to Brisbane.

The original photograph was provided courtesy of (Mrs.) Ann Finlay, granddaughter of T.B. Stephens who built "Coomboquepa". The site is now occupied by Sommerville House, Vulture St., South Brisbane. The people shown include members of Stephens' family. The photo was taken by Boag around 1872 before the railway line excavation that caused the Stephens family to move and rebuild "Coomboquepa" on its current site in the grounds of Sommerville House.

In 2016, Bill Kitson, a historian of surveying and curator-creator of Queensland's Lands Department Museum, took issue with the State Library blog. He replied that the marker was a surveyor's post:

¹⁰⁷ James Darragh. 'Letters to the Editor – Kangaroo Point', *The Brisbane Courier* 6 August 1931, p 19.

the boundary of the 'said town' had to be defined by placing posts at convenient locations along the boundary... In the case of Brisbane, the New South Wales Surveyor General, Thomas Mitchell initiated this process in 1843¹⁰⁸

Kitson noted this was originally done with a 'tree line' which had been lost, and therefore the posts came into use:

It appears that previously Wade or Burnett had marked the town limits by a 'marked tree line' and that now it was time for 'proper boundary marks' to be placed, as so much timber had been 'felled for the purpose of fuel', and marked trees lost. Carved stones like those placed in Sydney were first suggested as marker posts but economy dictated that dressed ironbark posts, 6 feet long sunk 2 feet in the ground and 15 inches at the ground line and 9 inches at the top, planed octagon chamfered underground and painted above.¹⁰⁹

According to Kitson's research, the posts dated to after 1852 and were mentioned in Galloway's 1855 survey:

In late 1852 Petrie and his team place(d) the town boundary posts in positions recently determined by Burnett's resurvey. At the same time, other alignment posts were placed on many of Brisbane's streets. In 1855, Surveyor J.J. Galloway surveyed 32 Suburban Allotments in the Parish of South Brisbane. The survey had an extensive frontage to the southern side of Vulture Street which was the town boundary. On the plan B1234.28 are 'four white posts' that were placed on the town boundary in Vulture Street under Burnett's direction in 1852. One of the posts is the one in front of T.B. Stephens' house 'Coomboquepa'.¹¹⁰

Thus it would seem the posts were indeed a surveyor's devise. Nevertheless, Daryll Bellingham notes it was the Stephens family themselves who provided the photograph of the post and who claimed it served to inform Aboriginal persons of the town boundaries.¹¹¹

¹⁰⁸ Bill Kitson, 'Trespass Posts,' 23 June 2016, in JOL Admin, *State Library of Queensland* (blog) <https://www.slq.qld.gov.au/blog/trespass-posts>

¹⁰⁹ Bill Kitson, 'Trespass Posts,' 23 June 2016, in JOL Admin, *State Library of Queensland* (blog) <https://www.slq.qld.gov.au/blog/trespass-posts>

¹¹⁰ Bill Kitson, 'Trespass Posts,' 23 June 2016, in JOL Admin, *State Library of Queensland* (blog) <https://www.slq.qld.gov.au/blog/trespass-posts>

¹¹¹ Daryll Bellingham, personal communication to Ray Kerkhove, 24 March 2021.

It should be noted that NSW and Queensland Aboriginal groups were accustomed to having trees and stumps as 'message boards' – painted and covered with specific designs to indicate the vicinity of a sacred or funerary area, or to inform travellers (Figure 11).

Native Mounted Police officer Fred Walker noted fresh tree markings in southern Queensland that his Aboriginal troopers explained directed groups away from the Native Police. His troopers also advised him the 'Brisbane tribe' used 'a system of tomahawk marks' on trees to convey information.¹¹² Thus it is quite likely 'border posts' were viewed in this manner by the local groups.

Some support for this probability is that the only two posts whose exact location is known were situated directly in front of Aboriginal base camps, along regular routes that Aboriginal people took to enter or leave Brisbane (see Figure 12). This suggests the posts both delineated the town borders and informed Aboriginal groups. It is probable that settlers such as the Stephens family understood and encouraged this function.



Figure 11: Aboriginal 'letter tree' William O Hodgkinson, North Queensland 1872 (JOL John Oxley Library Box 15752).

¹¹² William Clark, 'Explorer Walker - Organiser and First Commandant of the Native Police Force,' *Queenslander*, (30 November 1912), p. 10.



Figure 12: relation between known placing of border posts (red squares) to city limits (red line), Aboriginal camps (floral icons) and pathways used by Aboriginal groups for entering and leaving area (yellow lines)

8.0 Later curfews and evictions

Brisbane's Aboriginal community generally views Brisbane's Boundary Streets not as 'past heritage' but rather as part of a continuum of eviction and curfews around the same precincts, that continue into the current day.

8.1 The 1897 Act

In 1897, the Aboriginal Protection and Restriction of the Sale of Opium Act (1897) was passed in Queensland, which enabled the government to control the lives of all Indigenous people (and later, in 1934, those of mixed descent) by removing them to reserves and missions. As Romano noted:

Many Aboriginal people today believe that Aboriginal people who resisted removal from Musgrave Park were killed and subsequently buried under the park's trees during the initial implementation of the Act....The Aboriginal presence (or 'nuisance') in Brisbane was in this way heavily monitored; only those with work as servants or as labourers for white families and bosses were able to be within the town's limits.¹¹³

I have not yet found any documentary evidence for this oral tradition, though the restriction on Aboriginal presence and movement was doubtless severe, and it seems that Aboriginal persons were rarely seen within the City Limits between 1897 and the 1940s.

8.2 Wartime segregation

When black American servicemen were stationed in Brisbane during World War II they too were reportedly subject to the segregation demarcated by Boundary Street.¹¹⁴ As early as 1946, *Warwick Daily News* reported on the areas around Boundary Street (South Brisbane) as a 'black area' that suffered police harassment:

During the war, when a section of South Brisbane became known as the "black area," and hotels were set aside for the American Negro troops, full-blooded Australian aborigines were, able to mingle with them, and- obtain liquor in hotel bars. There was a big influx of aboriginal men and women, to the city from Tweed, Heads and other districts and many of them have remained in the city.¹¹⁵

Although for many Aboriginal people coming fresh from Reserve restrictions, moving to South Brisbane (and Army housing estates in Kelvin Grove and Mt Gravatt) meant a new freedom, living conditions were often very poor as white landlords took advantage of Aboriginal families' limited rental options (few suburbs would tolerate their presence). This,

¹¹³ Romano, *We is Human Beings*, pp.36-7.

¹¹⁴ Lauren McMahon, (2016), 'Calls for Brisbane's Boundary Street to be renamed to remove reminder of racist history,' new.com.au 2 February 2016, <https://www.news.com.au/national/queensland/calls-for-brisbanes-boundary-street-to-be-renamed-to-remove-reminder-of-racist-history/news-story> accessed 28 March 2021.

¹¹⁵ 'Drive Against Drinking By Abos,' *Warwick Daily News*, 23 September 1946 p 3

in effect, Aboriginal families were ‘segregated’ into the area and endured unsatisfactory conditions:

*....Police raids on houses in Hope, Stanley, and other streets close by have revealed the appalling conditions under which these aborigines have been living. The Native Affairs Department has kept as close a watch as possible on those under its care, but 'there are many coloured people living in South Brisbane over which the department has no control.*¹¹⁶

8.3 1960s-1970s restrictions

By the 1950s, when South Brisbane became highly industrialised, and most of the white population moved away, intensifying its unofficial status as the ‘black sector.’¹¹⁷ The area around Spring Hill similarly became impoverished, with a large ‘squatters’ camp’ (of mixed Indigenous, migrant and white Australian occupancy) occupying Victoria Park in the 1930s-1950s.

Although Aboriginal residents now enjoyed greater freedom, they were still restricted, as Flo Watson recalled concerning the early 1960s at Kelvin Grove, where she was under the jurisdiction of a ‘house manager’:

The curfew was at 8:30. We weren’t allowed out after 8:30, even on weekends. The white students were allowed out all the time.¹¹⁸

In Boundary Street there was still segregation. Lionel Fogarty set the scene for what Brisbane was like to live in for an Aboriginal person in the 1970s:

There was segregation of course, I mean the Boundary Hotel ... you couldn’t basically go there because it was all white ... There were lots of food places where you couldn’t get food, a lot of toilets where you couldn’t use the same toilets as the white fellas, things like that. Of course it was very severe at that time, and very harsh, and I’ve openly seen the segregation and racism at that time, but black people were still strong, basically keeping to their pride and their dignity ... And the police used to be just terrible ... they used to go and just hassle people and just arrest them and drag them out ... The things I used to see was just worse than some bloody ‘negro’ movie...¹¹⁹

¹¹⁶ ‘Drive Against Drinking By Abos,’ *Warwick Daily News*, 23 September 1946 p 3

¹¹⁷ Romano, *We is Human Beings*, p.239.

¹¹⁸ Michael Aird (2001), *Brisbane Blacks* Brisbane: Keeaira Press, p.41.

¹¹⁹ Romano, *We is Human Beings*, p.49.

8.4 Recent Restrictions

During Brisbane's *Expo 88* many Aboriginal tenants of boarding houses were evicted or threatened with eviction to make way for the international fair. As a result, the vicinity of Boundary and Vulture Streets again became an area for rallying resistance.¹²⁰

During the 1980s and 2010s there were also mass-evictions from Musgrave Park. Here Aboriginal protestors set up a 'tent city' and later a 'tent embassy'.

¹²⁰ West End Walkers, *Beyond the Boundary – A Street Walker's Guide to West End* No.2. (n/d), p. 6-7.

