

Aboriginal voters in the Burraborang Valley, NSW, 1869-1953

JIM SMITH

Introduction

Electoral rolls have been a neglected resource in the study of Aboriginal community history. The movements of Aboriginal people, the Anglicisation of their names, their changing occupations and the formation of sometimes short-lived Aboriginal communities can be tracked using electoral rolls. Demographic data can be compiled from the rolls and compared with that available from other sources. It may have been assumed by some historians that Aboriginal people were too illiterate to enrol, were not interested in voting, alienated from non-Aboriginal democratic processes or were prevented from enrolling by legislation or racist officials. However these assumptions are challenged by finding that New South Wales electoral rolls contain significant numbers of Aboriginal people. Twomey wrote, in her review of the New South Wales electoral process, ‘Aboriginal people were never denied the right to vote in New South Wales on the ground of their race.’¹

The Burraborang Valley is situated around the middle and lower Wollondilly River and lower Cox River and their tributaries. The valley is surrounded by vertical sandstone escarpments over 100m high, making it difficult to access. Although the junction of the Wollondilly and Cox Rivers is only 90km from the Sydney central business district, the Burraborang communities were relatively isolated from the surrounding regional centres of Picton, Appin, Camden and Campbelltown. The Aboriginal people of the Burraborang originally spoke the Gundungurra (Gandangara) language.

In the Burraborang Valley, 61 Aboriginal people enrolled to vote in State and Federal elections between 1869 and 1953. They signed petitions for the establishment of schools and post offices, applied for grants, conditional purchases and leases of land. They joined local sporting teams, attended church services and community social events, sometimes providing the music. The desire of Aboriginal people to vote was part of a suite of aspirations for equality with the non-Aboriginal community. They wanted to be able to raise their own children, send them to local

schools, and have equal access to housing, health facilities and other social services.

The ambition of Aboriginal people to own their own land has been well documented.² However, this should not be seen in isolation from other initiatives they took to attain equal status within their local communities. The Aborigines of the Burratorang Valley, similarly to those in other areas, obtained certificates of baptism, confirmation, marriage, attainments at school, and documentation of their land leases as well as electors' rights during the period that these were issued on paper. Electoral rolls were displayed in public places such as post offices and Aboriginal people probably derived some satisfaction from seeing their names displayed alongside those of their neighbours.

All of the extant State electoral rolls covering the Burratorang Valley between 1859 and 1928 were checked as well as most of the Commonwealth electoral rolls from 1903 to 1953. The Burratorang Valley was in the State electoral district (electorate) of Camden from 1859-1902, and usually within the subdivision of Picton. From 1903 to 1928 it was in the electoral district of Wollondilly.³ For the Commonwealth rolls, the Burratorang came into the division of Illawarra (1903 to 1909), division of Werriwa (1913 to 1940s) and division of Macarthur from 1949. For most years of the Commonwealth rolls, the Burratorang Valley was in the subdivision of Picton.

In the years 1903 and 1906 the Commonwealth rolls are usefully subdivided into polling places.⁴ The early State rolls also use these polling places, giving a more accurate indication of residents' addresses. Most rolls give the occupations of the voters and their addresses (with varying degrees of precision). For the years 1903 to 1928 there are separate State and Commonwealth electoral rolls available, allowing a useful crosscheck to pick up people who may be missing from the roll of one of the jurisdictions. There are some differences between the State and Commonwealth electoral rolls. For example, three of the Riley family discontinued their enrolments on the Commonwealth roll between 1909 and 1919 but maintained their listings on the State roll. Other Aboriginal people missed either the State or Commonwealth rolls in various years. These differences in the rolls can give significantly different totals with, for example, 24 Aborigines on the 1903 Commonwealth roll and 18 on that year's State roll. There were seven on the 1921 Commonwealth roll and 12 on the State roll. Although the figures for the State rolls are usually a little higher, there is no evidence that Commonwealth electoral officials removed people from the Burratorang rolls because they were receiving assistance from the Aborigines Protection Board (APB) as was attempted in other areas; for example, in the Riverina in 1904.⁵

In the State electoral district of Camden for the years 1869-70 to 1893-94, recognition of Aboriginal voters is provided on the rolls with the word 'aboriginal' in brackets beside the name. In the South Coast electorate of Shoalhaven, the rolls

also distinguish between Aborigines and ‘half castes’ between 1888-89 and 1900. This indication of voters’ race was not mandatory by law and it appears to have been an idiosyncrasy of some local electoral officials to make this distinction.

The only known written record of the existence of some Aboriginal people is their appearance on an electoral roll. For the years after the practice of indicating Aboriginality on electoral rolls ceased, it is necessary to have a detailed knowledge of local Aboriginal genealogy to recognise Aboriginal voters, with, for example, women voters enrolling under their married names and new voters enrolling when they turned 21. A significant problem in interpreting the rolls is that, for many Aboriginal people, there were non-Aboriginal people in the area with the same name. Knowledge of where Aboriginal families were living is needed to identify them accurately. There is a possibility that unrecognised Aborigines were enrolling after the practice of flagging Aboriginal people on the rolls ceased. However the author’s database of Aboriginal family names in the Burragorang Valley and surrounding region is extensive and the number of unrecognised Aboriginal people is likely to be quite low.⁶

The spelling of surnames can be variable within a family and for the same individual on different rolls. The first member of the Riley family to enrol used the spelling Reilly until his death, but his children and other descendants used the spelling Riley. Some voters enrolled under their Aboriginal names. These include families who used Toliman, Maruen, and Karobin as surnames. Some men used their Aboriginal and adopted English names in a flexible manner. Charles Jellick used a version of his Gundungurra name for the registration of the baptism of one of his children and for his 1872 land claim but registered to vote as Charles Skerritt. His children enrolled as ‘Sherritt’ or ‘Sherrett’. The man recalled in Billy Russell’s memoirs as Sammy Addle applied for land as Samuel Hassall and enrolled to vote as both Sammy Tommy and Sammy Athol.⁷ It was not uncommon for the adopted English names of Aboriginal people to rhyme with their Aboriginal names. The man enrolled as Morrowin and Maruen had his Aboriginal name first recorded in blanket lists as Murrooin.⁸

Aboriginal men were not prevented by law from voting in New South Wales between 1843, when voting was introduced, and 1858 but were excluded in practice by the requirement to own or lease a property. After the passing of the Electoral Act of 1858 the property requirement was removed and all males over the age of 21 who had lived in an electorate for the previous six months could enrol. All persons registering to vote needed to have a ‘fixed abode’. This presented a barrier for itinerant workers, both black and white.⁹

Literacy was not a necessary qualification to enrol. Billy Russell, George Riley and other Gundungurra people could not read or write, signing as witnesses to weddings, with an ‘X’. Some of the valley’s non-Aboriginal settlers were in the

same position. Illiterate people could obtain assistance from local postmasters, in filling out the enrolment forms. This would explain the variety of phonetic spellings for some Aboriginal names. The Burratorang postmaster Robert O'Reilly (1841-1915), was on friendly terms with local Aboriginal people.¹⁰ He and subsequent postmasters, such as those in the McMahon family, may have helped to fill in the forms for Aboriginal people wishing to enrol. There was also assistance available at polling booths for voters unable to read the ballot paper.

At this time the earliest pioneer families of the region still controlled much of the regional economy and held important local administrative positions. Families such as the Antills, Macleays and Macarthurs had built up their estates and fortunes with the help of convict and Aboriginal labour. The Aboriginal communities of the 1850s, who continued to work on their estates, were well known to them and usually included a high proportion of the descendants of their early black and white employees. The comparatively benevolent attitude of these influential families towards local Aboriginal people was probably a factor in the apparent lack of discrimination against those who wanted to enrol to vote. The electoral laws allowed objections to be made against people being included on electoral rolls who were not 'qualified'. There is no evidence of such objections being made against any Aboriginal person in the Camden electorate.

It was not uncommon for Aboriginal and non-Aboriginal people to appear on more than one electoral roll in a year. This probably indicates changes of residence, as it was only necessary to reside in an area for six months to enrol there. For example, many members of the Aboriginal Riley family had their movements between the Burratorang and Southern Highlands recorded as listings on rolls for both areas for the same year.

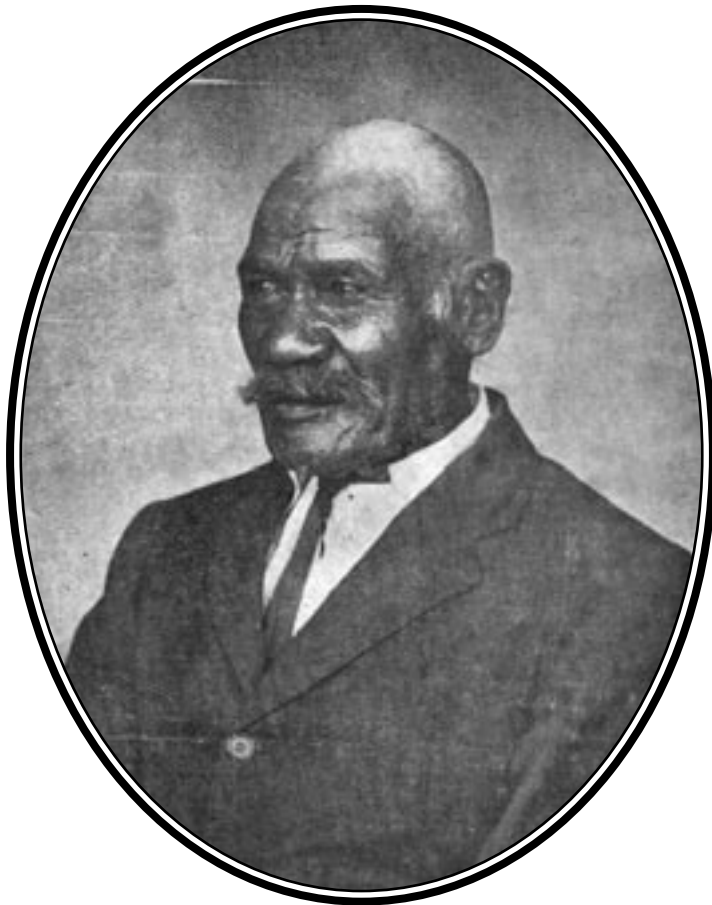
It was not compulsory for eligible people to enrol to vote in New South Wales until 1921.¹¹ Legislation making it compulsory for people on the rolls to attend a polling booth on election days was not introduced until 1928.

Aboriginal voters only ever represented a very small proportion of the total electorate studied in this paper. In 1903 the maximum number of 24 enrolled Aboriginal people was reached. This was about 7 per cent of the total number on the roll at the four polling places where Aboriginal people were represented in the Burratorang Valley. As a proportion of the whole electoral district of Camden in 1870-71, Aboriginal people comprised only eight people out of 2621. As a proportion of the subdivision of Picton in this electorate, Aboriginal people comprised five out of 1057 in 1893-94, 15 out of 1845 in 1908, and seven out of 1920 in 1921.

The changing demography of an Aboriginal community

The 1869-70 roll, the first to include Aboriginal people, lists George Riley (c.1833-1906), his half brother Solomon Tolman (also spelt Toliman, died 1870) and Thomas Wright. These three may have been the first Aboriginal people to enrol to vote in New South Wales and perhaps in Australia.¹² During debates in the New South Wales Parliament in 1890-91, it was stated that Aboriginal people were enrolled to vote in such areas as Maloga, South Sydney and Queanbeyan.¹³ In the booklet *History of the Indigenous Vote*, compiled by the Australian Electoral Commission, the earliest example given of Aboriginal voting in Australia is the Point McLeay community in South Australia in 1896.¹⁴

In the next extant Burraborang Valley roll, for 1870-71, the first three were joined by Jackey Karobin (born c.1831), Paddy Morrowin, William Russell (c.1835-1914), 'Sammy Tommy' Addle, and Charles Skerritt (died before 1876).



William Russell, from 'My Recollections', Camden News, 1914.



William Davis. (Private collection)

The Aboriginal families who enrolled to vote were also the ones who made land claims in the valley. Four of the earliest Aboriginal men to enrol in the Burratorang made the first Gundungurra land claim.¹⁵ George Riley, his cousin William Russell, Sammy (as Samuel Hassall) and Charles Skerritt (as Charles Jellick), applied in 1872 for grants of land in the Burratorang Valley. Their application was in the form of a petition addressed to the local Member of the Legislative Assembly. They may have believed that, as registered constituents, they had a greater right to be heard by their local member of parliament. The Burratorang claimants were disappointed by the land eventually provided (gazetted in 1878 as Aboriginal reserves 26 and 27, totalling 400 acres (161 ha) in the County of Westmoreland) because they were not given ownership, only the right to occupy a temporary reserve, and because of the quality of the land, which was not suitable for farming production sufficient to support sizeable Aboriginal communities.¹⁶

In 1876-1877, 11 Aboriginal people were listed. By then Solomon Toliman was deceased and Thomas Wright had died or moved out of the valley. The new Aboriginal names in 1876 were William Davis (c.1842-1892), Jackey Lacey, Robert Maruen (born c.1812), Richard Powell, William Toliman (c.1844-1888) and Prince Albert Saunders (died before 1890). The earliest men to enrol included some of the most senior men in the Burragorang, such as Robert Maruen, who was a *carradgee* or 'clever man'. Maruen and Charles Skerritt were born before any significant settlement of the Burragorang. They would have lived a traditional life in their youth. Stockman William Davis married a woman called Caroline in 1873. Davis later moved further west in Gundungurra country and was known as the 'King of Hartley and Cox's River' and his wife as 'Queen Caroline'.¹⁷

St Josephs Farm

The Aboriginal people on the 1881-1882 roll were all at 'Cox's River', the site of the Catholic Church's Saint Josephs Farm community. The parish priest, George Dillon, had promised the local Aboriginal people that the rich farming land at the junction of Pocket Creek and the Cox's River, which had been purchased on their behalf, was to be theirs in perpetuity.¹⁸ Among the newly enrolled Aborigines living there in 1881-82 was a South Coast man, James Broughton, and a man from the Monaro district, William Solomon. Another new voter was Joseph Clark, whose birth had been registered at Camden in 1861.¹⁹

The Aboriginal Laceys may have adopted their name from one of the earliest settler families of the Burragorang. John Lacey's land at Bimlow was surveyed in 1829. Tim and Sophia Lacey were sponsors of a number of Aboriginal baptisms in the valley, including those of George Riley and a son of Charles Skerritt.²⁰

Nearly all of the Burragorang Aborigines were baptised and had non-Aboriginal sponsors or godparents. It is possible that Dillon and later Catholic priests, as well as these godparents, encouraged the Aboriginal people in their congregations to enrol to vote.

The 1890s

The only other recruits to the Burragorang electoral roll prior to 1900 were Steve (c.1863-1923) and Augustus (c.1865-1933) Sherritt, sons of Charles. For the period 1896-97 to 1899-1900 Steve was one of only two Aboriginal voters in the valley, the other being George Riley.

The 1890s drought may have been a cause of low Aboriginal enrolments in the valley with, for example, the shearer Augustus Sherritt leaving the area to work in the Bourke district.²¹ The economic depression of this decade may have also forced some Aboriginal people to apply for rations from the Aborigines Protection Board

(APB), making them ineligible to enrol.²² Another possible difficulty for Aboriginal people was the introduction of printed certificates known as 'elector's rights' which had to be taken to polling booths between 1894 and 1906. Hogan and Muir claim that this 'acted as a significant disincentive for many potential voters to register. This applied especially to Aborigines ...'²³ The number of Aboriginal people enrolled rose to four in 1900-01, with the return to the Burraborang of William Russell and the enrolment of one of George Riley's sons, Walter Thomas (c.1870-1926).

Were Aboriginal people on rations excluded from voting?

Chesterman and Galligan have pointed out that the NSW Parliamentary Electorates and Elections Act of 1893 (and similar provisions in earlier and subsequent Acts until 1928) 'prevented people in receipt of charitable aid from voting'. The authors interpret this as: 'Aborigines on missions and reserves were considered to be in receipt of charitable aid and were thus excluded from the vote.'²⁴ By 'reserves' the authors probably meant reserves with resident managers, more properly termed Aboriginal Stations. There is no evidence that Aboriginal people in the Burraborang who were living on unmanaged reserves gazetted under the Crown Lands Acts and not in receipt of rations, were excluded from voting. The number of adult people in the Burraborang given rations averaged about four between 1883 and 1888, about eight between 1889 and 1902 and about four between 1905 and 1913. One adult only was supplied with rations in 1914 and 1915, the last years that figures were published.²⁵

The available records of the APB do not give the names of the people on rations so it is difficult to confirm if anyone in Burraborang was prevented from enrolling for this reason. There were five Aboriginal men on the 1893-94 electoral roll and two on the 1896-97 roll. Of the three 'missing' voters, William Russell was known to leave the valley regularly for employment, leaving Joseph Clark and Henry Lacey as possible people who may have been excluded because they went on to rations. Both Russell and George Riley are known to have received 'one-off' grants for housing materials from the APB. This did not apparently come under the heading of 'charitable aid' as both men voted until they died of old age.²⁶ From 1928 persons receiving charitable aid were not excluded from enrolling to vote.²⁷

The effects of Federation

Aboriginal interest in voting was to increase in the lead-up to Federation. There were lengthy debates on whether Aboriginal people should be allowed to vote. The compromise adopted by the Federal Parliament was that any person who was already on State electoral rolls would be allowed to be on the new Commonwealth rolls but that no new Aboriginal voters would be allowed to register for the federal

elections after then.²⁸ This meant, in effect, that in New South Wales, only those Aboriginal people on the New South Wales electoral roll for 1902-03 would go onto the first Commonwealth roll.

The 1902-03 New South Wales State roll is also significant in that it shows the results of the passing of the Women's Suffrage Bill of 1902 that allowed women to enrol for the first time. The combined effects of this 'last chance' option to become a voter in Commonwealth elections and the opportunity for Aboriginal women to enrol led to the 1902-03 New South Wales electoral roll for the Burratorang Valley including the highest ever number of Aboriginal people, with 24 enrolments.

Orr wrote that 'enrolment was relatively easy – there was no need for proof of identification beyond submission of an enrolment form witnessed by someone already on the roll'.²⁹ The new State rolls of 1902-03 were ordered to be displayed in all post offices together with copies of the Commonwealth enrolment forms.³⁰ The New South Wales police played an important part in the compilation of the first Commonwealth electoral rolls. They carried out house-to-house canvassing or 'habitation checks' to locate eligible voters. This may have been problematical for some Aboriginal people as the police were also responsible for administering the policies and decisions of the APB. However, Sawyer's research indicated that the police 'were conscientious in finding the new women voters'.³¹ This is despite the fact that some Commonwealth politicians had stated in Parliament that it was 'repugnant' that Aboriginal women 'simply by being twenty one years of age', should have the same rights that had been conferred on the white wives and daughters of Federal politicians.³²

The first Aboriginal women to enrol in the Burratorang Valley were: Mary Longbottom (formerly Toliman), née Smith (c.1855-1927); Selena Shepherd, née Toliman (1873-1970), Mary's daughter; Clara Hilton, née Shepherd (1877-1955); Lilly Ann Riley (c.1878-c.1955), daughter of George; Ada Lock, née Saunders (c.1869-1925), Eliza's daughter; Maud Mabel Saunders, Eliza's daughter (c.1882-1945) and Cecilia Sherritt (c.1876-1934), daughter of Charles Sherritt. All of the new Aboriginal women on the Burratorang roll had close family connections with the men who were the first to register.

The new men on the 1901-02 and 1902-03 State rolls were Joseph Clarkson (c.1862-1926), John Longbottom (1852-1912), Richard Lord (c.1865-1921?), William Albert Shepherd (1875-1954), Frederick Toliman (1868-1941), Edward Hilton (1869-1907) and Frank Lock (1867-1915). The links of kinship between the Aboriginal people enrolled to vote in the Burratorang Valley in 1902-03 were very strong as all the new voters were related to previously enrolled ones.

If the 1902 Commonwealth Franchise Act had been strictly applied, only those Aboriginal people who were on the New South Wales State roll of 1902-03 should have appeared on the first Commonwealth roll, that of 1903. However there were



*Mary Longbottom, formerly Mary Toliman (née Smith).
(Private collection)*



*Clara Lonsdale,
formerly Clara Hilton.
(Photo courtesy of Jean Murphy)*

five new Aboriginal enrollees on the first Commonwealth roll. These were Teresa Goodfellow née Hilton (1874-1954), John Joseph Riley (1859-1929), son of George Riley, Dan Hilton (1877-1964), Mary Hilton (1883-1914), Teresa Hilton, née Ingram (c.1850-1910), and James Shepherd (1880-1940). There was some flexibility in the operation of the 1902 Commonwealth Franchise Act.

Electoral officials had the power to decide who was an ‘aboriginal native’ and who was not. It was common for some people of Aboriginal and Torres Strait Islander descent to be allowed to vote (usually only if they lived like white people) and for others to be refused.³³

Skin colour may have been a factor in these electoral officials' decisions. Chesterman and Galligan have reviewed the debate about whether mixed-race Aboriginal people should be considered to be 'Aboriginal natives' for the purposes of eligibility to vote and other benefits of citizenship.³⁴ They show how the concept of 'predominating blood' gradually gained acceptance and how the initially ambiguous case of 'half-castes' was eventually resolved by 1920 by regarding them as non-Aboriginal for the purposes of citizenship status.³⁵ Teresa Goodfellow, Dan and Mary Hilton and James Shepherd had non-Aboriginal fathers. Teresa Goodfellow, John Riley and Teresa Hilton were married to non-Aboriginal spouses. John Riley was qualified under the Act as he had been on the State electoral roll for the Campbelltown district in the late 1890s. James Shepherd may also have been enrolled in another State electorate before 1903. All of these Aboriginal voters may have 'lived like white people' in the eyes of the rest of the Burratorang community.

The new recruits to the roll after 1903, who were not Rileys, were George Sherrett (c.1888-1953), Clara Shepherd (1901-1969), Thomas Matto (c.1854-1912) and the half-brothers George (c.1854-1942) and Frank (1884-1941) Green. Thomas Matto was another South Coast man. His father was a Maori who founded a large family of Aboriginal-Maori descendants, most of whom adopted the spelling of Amatto.³⁶ George William Green, also known as Lambert, and his niece Lily were descended from the 'Dabee tribe' of the Rylstone area.³⁷ George brought his family to Burratorang to try mining for gold and shooting for animal furs on the Kowmung River in about 1905 and later obtained work in the Yerranderie silver mines, where he appeared on the rolls between 1908 and 1913.³⁸ George and other members of his family were previously enrolled to vote in the Rylstone area.

Analysis of the electoral rolls allows the identification of two significant exoduses of Aboriginal people from the Burratorang Valley in the period between 1900 and 1914. Both followed times when the deaths of elderly community leaders coincided with the deaths from disease of a number of young people. The deaths of the elders Annie Sherritt in 1903, George Riley in 1906 and Edward Hilton in 1907, came during a period when a number of young Gundungurra died of tuberculosis and other lung diseases. The adults who left the valley soon after this time included Ada and Frank Lock, Fred Toliman and Dan Hilton.

Clara Hilton remained in the valley for some years, until at least 1916, after her husband Edward died in 1907, without staying on the roll. As a widow she may have been entitled to receive rations from the APB and her disappearance from the electoral roll after 1908 may have been a consequence of her receiving this 'charitable aid'. She remarried in Uralla in 1928. Mary and John Longbottom became estranged and Mary went to live with her daughter at La Perouse.³⁹ Ada and Frank Lock probably went to live in Plumpton, where there were many relatives of Frank.⁴⁰ Fred Toliman's movements are unknown until his 1921 marriage at West Wyalong.

The second wave of deaths, between 1910 and 1914, took the elders Teresa Hilton, Ellen Riley, John Longbottom and William Russell, as well as two young people. Those on the roll who are known to have left the valley after this were Steve Sherritt, George Sherrett, Jimmy Shepherd and Joseph Clarkson. Others who last enrolled in about 1913 were Richard Lord, Maud Mabel Saunders and Cecilia Sherritt (c.1876-1934). It seems unlikely that these last three were excluded from voting by having to go onto APB rations, as the board was only supporting one adult in 1914-15.⁴¹ It is more likely that they left the valley.



Jimmy Shepherd. (Photo courtesy of Jean Murphy)

Steve Sherritt's departure was especially significant as he was the most senior and culturally knowledgeable Gundungurra in the valley. Billy Russell said that he expected Steve to become the new local Aboriginal community leader after his death as 'he knows a fair amount of the language'.⁴² However it was probably economic necessity that prompted Steve to move to Bourke, where his brother Augustus had gone years before. Selina Shepherd left the valley with Steve Sherritt and had children in Bourke. Steve Sherritt's nephew George left the valley with Jimmy Shepherd to live in 'The Gully' community at Katoomba where they were photographed in about 1916 at the Mission Church.⁴³ Jimmy Shepherd remained in Katoomba for the rest of his life, but George went to La Perouse where he married in 1927.



William Albert Shepherd. (Photo courtesy of Gloria Ardler)

John Longbottom, after losing the mail contract, did work in different areas of the valley. He tried mining at Yerranderie in 1907, then left the valley for a while, returning to work at Bimlow in 1912. He died in the valley in that year. Joseph Clarkson died at Bassendean in the Guyra Shire in 1926. Cecilia Sherritt died in Sydney in 1934 and Maud Saunders in Kempsey in 1945. Richard Lord may have died in Dungog in 1921. He may have had difficulty in obtaining employment in the valley. Before moving north he was at St Josephs Farm, Cox's River, in 1904, Upper Burratorang in 1907 and Bimlow in 1912-13.⁴⁴

From the mid-1920s the number of Aboriginal people enrolled to vote in the Burratorang Valley declined sharply, averaging only two or three each year after then. Only Annie and Alfred Riley remained on the roll by 1926. In 1925 William and Selina Shepherd had given up their long struggle with the Catholic Church to remain at the old St Josephs Farm property and moved away from the valley, eventually settling at La Perouse.⁴⁵

The Riley family – a case study

The Riley family can be used as a case study to illustrate how much biographical information about a family can be obtained through electoral rolls, as well as the association between enrolling to vote and land claims. George Riley and his brother Solomon appear to have been community leaders who inspired others in 1869 when they became the first Aboriginal people from the Burratorang Valley to enrol to vote. George was one of the first four land claimants from the valley. He achieved the longest continuous period of enrolment (35 years) of the Aborigines of the valley. Three of his children, nine of his grandchildren and three of his great-grandchildren later appeared on the rolls.

John Riley, eldest son of George Riley, continued his father's fight for land. In the decade leading up to Federation he unsuccessfully lobbied many organisations and individuals for land. These included the State member of parliament, the Lands Department, local white settlers and the Aborigines Protection Board. Within months of the first Federal election he had written to one of the New South Wales senators with his land claim.⁴⁶ John Riley's persistent requests for land made him the third most mentioned Aboriginal person in New South Wales in the minutes of the APB.⁴⁷

On Boxing Day 1900 most of the Aboriginal people in the Burratorang attended a party at John Riley's selection at Burnt Flat.⁴⁸ There were 'thirty couples present'. This party was one of the largest gatherings of Gundungurra people to take place in the 20th century. It is likely that Aboriginal people were aware that there was parliamentary and community debate about whether Aboriginal people should be allowed to vote in Federal elections. It is quite likely that the Rileys present encouraged the others to enrol. John's sister Lilly was one of the first eight Aboriginal women to enrol.



John and Margaret Riley with their daughters and adopted son Barney. All of the people in the photo enrolled to vote. (Photo courtesy Ivy Brookman.)

After 1903, the additions to the Burraborang electoral rolls were nearly all members of the Riley family, mostly the children of John Riley, and their spouses. That skin colour and apparent ‘assimilation’ were factors in whether Aboriginal people were allowed to go on to the Federal role is exemplified by the children of John Riley. John married a non-Aboriginal woman, Margaret O’Brien (1851-1925). All of their children who survived to the age of 21 enrolled to vote. John may have educated his children to regard enrolling as an important statement of their equality with the rest of the community. His daughters continued to vote under their new surnames after their marriages. However, only three of John Riley’s grandchildren, Alexander (1910-1974), Alfred (1915-1995) and June (1925-1965), appeared on the rolls due to migration of the others out of the valley.

The rolls reveal that a group from the Riley family established a small, otherwise undocumented, Aboriginal community at ‘Big Flat’ in the Burraborang Valley. Ernie, Walter, Annie, Alfred and Lily Riley and some of their non-Aboriginal

spouses registered as living at this location from 1921. The Big Flat was the area of riverside flats around the junction of the Tonalli and Wollondilly rivers. It was an important area for Gundungurra people, being adjacent to the Burratorang waterhole, a place of mythological significance.⁴⁹ It is likely that the Rileys and other Aboriginal people were living on the Big Flat well before this was first recorded as an address on the electoral roll.

The main farm in this area was called 'Summer Hill'. The property was a major source of employment for Aboriginal people. John Riley worked as a shearer there, and some of his daughters were employed as maids in the homestead.⁵⁰ The Aboriginal people who gave their address as Big Flat may have lived in accommodation provided for employees at the Summer Hill property.

Most of the Riley family joined the exodus of Aboriginal people from the Burratorang Valley from the mid-1920s. John and Walter Riley retired to live at Harmony House, Picton. Walter died in 1926 and John in 1929. William George Riley (1889-1973) also moved to Picton where he worked for some years. He moved back to the valley after his father John's death to work the Gungarlook farm (Aboriginal Reserve 14937). Isabella Riley moved away permanently from the valley. Ernie Riley (1898-?) worked out of the valley for some years before returning there between 1927 and 1929. Annie Riley, née Hilton, continued to live at Big Flat until she died in 1933. Between 1926 and 1953 the only Aboriginal enrollees in the Burratorang Valley were Rileys. From 1951 to 1953 the only Aboriginal person remaining on the roll in the Burratorang was George Riley's great-granddaughter, June.

Of the 61 Aboriginal people enrolled to vote in the Burratorang Valley 16, or more than 25 per cent, consisted of George Riley and his direct descendants. George Riley's relatives and in-laws, and those of his descendants, comprise 80 per cent of the total number.

When economic necessity forced every other Aboriginal family out of the valley, the Rileys stayed until just before it was flooded in the mid-1950s. Riley descendants were the only Gundungurra people in the valley for over 30 years after the Shepherds left in 1924. They preferred the struggle to support their large families through a combination of farming poor land, and travelling widely for seasonal work, to losing their links with the Burratorang Valley.

Biographical profiles of both Aboriginal and non-Aboriginal families and individuals can be enriched by tracing their movements through their appearances in the electoral rolls. The movements of the Rileys, within the Camden electorate, have been tracked. Four of the Riley family went to the Southern Highlands for about a year in 1908. John Riley's daughters, Adella, Ethel, Mabel, Mary and Isabella, were trained as maids and may have left the valley for periods of employment as domestic servants in the Southern Highlands or in tourist

accommodation premises. They eventually obtained a lease over Harmony House within the grounds of the Carrington Convalescent Home in Thirlmere and operated it as a guesthouse. Ethel Riley was the first to appear on the roll giving Harmony as her address in 1921. The last list of the Riley sisters (and their sister-in-law Ivy Riley) living there was from 1932, and the house was demolished in 1933.⁵¹



Ivy Cartner (née Cheetham) in 1913, who later became Ivy Riley, wife of William George Riley, and mother of Ivy Brookman. (Photo courtesy of Ivy Brookman)

In the 1920s, some of the Rileys lived in a house in Wild Street Picton. William George Riley's enrolment at Picton between 1926 and 1929 was probably related to his travels as a timber man in the area. Alfred Ernest Riley's period of employment on the building of the Nepean Dam is confirmed by his enrolment there in the late 1920s.

Lily May Riley (née Green) led a nomadic life.⁵² She was born at Rylstone in 1892 and married Alfred Ernest Riley at Mudgee in 1907. The couple's 11 children were born over a wide area: Ellen (Parramatta 1909), John Joseph (Bathurst 1912), Mary Ann (unknown locality 1913), Alfred (Rylstone 1915), Walter (Windsor 1917), Ruth (Camden 1919), James (Yerranderie 1921), Mabel (Yerranderie 1923), June (Bargo 1925), Bruce (Parramatta 1927) and Noel (Narrabeen 1929). Only one set of consecutive babies was born at the same locality. Lily made only three appearances on the electoral roll for the Camden electorate: 1908 in Mittagong (the year she had a child in Parramatta); 1915 in Burratorang (the year she had a child in Rylstone); and 1926 in Bargo. Only in 1925-1926 did the place of birth of one of Lily and Alfred's children coincide with both their electoral enrolment addresses. In contrast, Alfred appeared on the Burratorang State electoral rolls consistently between 1908 and 1927, after which he left the valley.

When Lily's niece Ivy Brookman was asked why her aunt moved her family over hundreds of kilometres, and between at least eight different homes, over this period of 20 years, she said, 'It was because she was afraid her children would be taken from her. She always made sure they were clean and washed their faces as soon as they came home from school.'⁵³ This article has hypothesised that some Aboriginal people enrolled to vote as an act of assertion that they belonged to the area. However, Lily Riley's life illustrates that some Aboriginal people had reason to be afraid of being known to be resident at a fixed address for too long. Lily apparently did not want to draw the attention of the police (as agents of the Aborigines Protection Board) to her large family. John Riley's decision to list his children as non-Aboriginal for the 1891 State census may have been motivated by similar reasons.

Conclusion

This analysis of the electoral rolls for the Burratorang Valley has demonstrated that the rolls can provide significant insights into the histories of Aboriginal communities, families and individual Aboriginal people. The rolls show that the valley had an eclectic Aboriginal community. Although most of the enrolled Aboriginal people were Gundungurra speakers born in the Burratorang, there were others from the Illawarra, South Coast, Kangaroo Valley, Rylstone, Boorowa, Blacktown, Southern Highlands and Monaro areas.

The number of Aboriginal people enrolled to vote in the Burratorang Valley never rose above the 24 listed in the early years of Federation, with the total slowly

declining as Aboriginal people left the valley. Although these numbers are small, relative to the size of the electorate, they represent a high percentage of enrolment by eligible Aboriginal people. Hogan and Muir assumed that such low numbers indicated that 'very few [Aborigines] bothered to register before 1894, and even fewer gained an elector's right after'.⁵⁴

The numbers of Aboriginal males on the Burragorang electoral rolls were compared with the numbers in the APB censuses for the years 1891 and 1901.⁵⁵ Six men were enrolled to vote in 1891, out of a total of 10 living in the valley.⁵⁶ For 1901-02, 11 of the total of 19 men in the valley were enrolled. Considering that four to five men were receiving rations from the APB in these years, and were thus ineligible to enrol, these figures demonstrate a high level of interest in voting.

Aboriginal voters had a certain level of invisibility. Even members of parliament were sometimes ignorant of their Aboriginal constituents. During a debate in the Legislative Assembly in 1875, no member present appeared to be aware of any Aboriginal people that had ever voted.⁵⁷ In 1902, Sir William Lyne could only recall seeing Aboriginal people vote once in New South Wales.⁵⁸

The close association of the enrolled families with land claims in the valley suggests the interpretation that registering to vote was an assertion by Aboriginal people of their presence in the community and of their equal rights as citizens to own land. The four main family groupings of the enrolled Aboriginal people were the Riley-Toliman-Saunders family, the Hilton-Lacey family, the Shepherds and the Sherritts. Descendants of George Riley voted for three generations after him, including Alfred Riley, who was enrolled over 41 years. Descendants of Charles Sherritt voted for two generations after him, including Steve Sherritt, enrolled for 27 years. William Russell, another of the 1872 land claimants, was enrolled over a total of 43 years, until the end of his life. George Riley's niece Selena Toliman and her husband, both enrolled to vote, fought for their claim to St Josephs Farm for over two decades. Annie Riley (née Hilton) had the longest period of enrolment (25 years) for a woman in the valley. Four of the six Aboriginal reserves of the Burragorang Valley were created through the initiatives of Charles and Annie Sherritt and George and John Riley.⁵⁹

The reasons for the comparatively high number of Aboriginal people enrolling to vote in the Burragorang Valley are the association between voting families and land claims, the good educational opportunities for Aboriginal people in the valley, the high number of Aboriginal reserves and the good relationships between the Aboriginal and non-Aboriginal communities. Having a fixed address, such as a house on a reserve, may have been a significant criterion for electoral enrolment officers. Schools that accepted Aboriginal children in the valley were established from 1869.⁶⁰ It was claimed that by 1874 all the young Aboriginal people in the valley could read and write.⁶¹ In 1891, 21 Aboriginal children attended local schools.⁶²

Heather Goodall has published a model of the main phases of the Aboriginal struggle for land in New South Wales.⁶³ The initial physical invasion of their country was resisted by various strategies including violence. Between the 1860s and 1890s Aboriginal people developed a range of strategies to gain control over their own land. During the 1910s and 1920s, Aborigines had to defend their small gains from encroachment by white people. In the 1930s Aboriginal people, like the wider community, suffered from the effects of the Depression and some Aboriginal people and groups began to publicise their causes through political initiatives. These political activities continued and strengthened from the 1940s to the present.

The range of strategies used by Burratorang Aboriginal people to gain control of some of their own land between the 1860s and early 1900s is similar to that described by Goodall for the rest of New South Wales. Local Aboriginal people successfully applied for conditional purchases and leases of land. They occupied the six reserves established by the Aborigines Protection Board, took advantage of the Catholic Church's philanthropy in establishing St Josephs Farm and occupied land on one of the largest farms in the valley, Summer Hill, where they were able to gain casual employment. The community leaders who took these initiatives have been shown in this paper to have been simultaneously engaged in asserting their rights to vote. It would be worthwhile examining Goodall's case studies from around the state to see if the other 19th century Aboriginal 'land rights' activists also saw a linkage between land rights and voting.

Through the 1910s and 1920s Burratorang people did lose some of these living places. However there was a wide range of demographic factors involved in the depopulation of the valley. Goodall identified pressure from white settlers, including some taking advantage of the Closer Settlement Acts, as a major cause of the loss of Aboriginal land. This was not a significant factor in the Burratorang Valley. Financial difficulties led to the loss of conditional purchases by Aboriginal people. The Catholic Church withdrew its support for the Aboriginal occupation of St Josephs Farm. The Summer Hill property was broken up and could no longer provide large-scale employment. The APB reserves were on poor land that could only support a small number of people. Aboriginal elders died and epidemics caused significant loss among the younger generations. Others moved from the valley to find marriage partners. This declining population can be tracked accurately through the electoral rolls.

Those who remained after the mid-1920s were the Rileys. They stayed until the valley was depopulated of both its black and white inhabitants in the mid-1950s to provide a water storage area for Sydney.

1 Anne Twomey, *The Constitution of New South Wales*, Sydney, 2004, p. 326.

2 Heather Goodall, *Invasion to Embassy: land in Aboriginal politics in New South Wales, 1770-1972*, Sydney, 1996.

3 State electoral rolls are mainly dated as 'financial years'; for example, 1893-94. There is an additional calendar year roll for 1894. State rolls after 1907 are nearly all for calendar years. Commonwealth rolls are all for calendar years. There are no extant Commonwealth rolls between 1909 and 1913. The State roll for 1878-79 is anomalous in not including any Aboriginal people, and has not been included in this analysis. State rolls to 1900 were studied on microfilm and the Commonwealth rolls on microfiche at the NSW State Library. The State rolls after 1900, including the important supplementary roll of 1902-03, with the first women to enrol, have not yet been microfilmed, but are available in hard copy. After 1928 the NSW State and Commonwealth rolls were merged.

4 The polling places were Burragorang, Bimlow, The Peaks, Jooriland and Nattai.

5 John Chesterman and Brian Galligan, *Citizens Without Rights*, Cambridge, 1997, p. 135; Marian Sawyer, 'Enrolling the People: electoral innovation in the new Australian commonwealth', in Graham Orr, Bryan Mercurio and George Williams (eds), *Realising Democracy: electoral law in Australia*, Sydney, 2003, p. 59.

6 The author's database comprises hundreds of Aboriginal birth, death and marriage certificates, baptism and burial records and other sources of regional genealogical data. Biographical data about the Aboriginal people discussed in this article is sourced from this archive. The author has worked with a number of Aboriginal family historians including Gloria Ardler, Ivy Brookman and Jean Murphy. Their suggestions and oral history have guided this research. However, all genealogical relationships have been confirmed by written documentation. Enquiries about this archive can be made by mail to the author at 65 Fletcher Street, Wentworth Falls, NSW 2782. A selection of Gundungurra genealogies, partly sourced from the archives of Jim Kohen of Macquarie University can be found in Dianne Johnson, 'Report to the Gundungurra Tribal Council Concerning Gundungurra Native Title Claim', unpublished report, 2004.

7 William Russell, *My Recollections*, Camden, 1914, p. 18.

8 'Return of Aboriginal Natives taken at Picton', 6 August 1842. SRNSW 4/1133.3.

9 Anna Doukakis, *The Aboriginal People, Parliament and 'Protection' in New South Wales, 1856-1916*, Sydney, 2006, p. 25.

10 O'Reilly was postmaster from 1874 to 1881. He is known to have assisted at least one Aboriginal person with the paperwork for a conditional purchase application.

11 It was compulsory for eligible people to be on the Commonwealth roll from 1911.

12 Atkinson has noted a John Badberry on the 1859 electoral roll living at Camden Park and suggested that he may be the Aboriginal man Boodbury/Budberry. Alan Atkinson, *Camden*, Melbourne, 1988, p. 230.

13 Doukakis, p. 7.

14 Australian Electoral Commission, *History of the Indigenous Vote*, Canberra, 2002, p. 4.

15 Ivy Brookman and Jim Smith, *Gungarlook: the story of the Aboriginal Riley family of the Burragorang Valley*, Wentworth Falls, 2010, pp 49-55.

16 Only 4 acres (1.68 ha) of Aboriginal Reserve No. 26 was 'fit for cultivation'. Register of Aboriginal Reserves, 1875-1904, SRNSW, 2/8349, folio 30, SR reel 2847.

17 References to William and Caroline Davis in the Lithgow district are in Jim Smith, *Wywandy and Therabulat*, Lithgow, 1990 (unpaginated).

18 Jim Smith, *Aborigines of the Burragorang Valley*, Wentworth Falls, 1991, pp. 18-25.

19 Baptism Register, St Paul's Church, Camden, 30 September 1861.

- 20 St Bede's Church, Appin, Parish Register.
- 21 Augustus Sherritt's last appearance in the Burratorang roll was for 1891-92.
- 22 Doukakis, pp. 77-78.
- 23 Michael Hogan and Lesley Muir, 'Voting in Colonial New South Wales' in Michael Hogan, Lesley Muir and Hilary Golder (eds), *The People's Choice: electoral politics in colonial New South Wales*, Sydney, 2007, p. 26.
- 24 Chesterman and Galligan, p. 66.
- 25 Annual reports of the Aborigines Protection Board were published in the *NSW Legislative Assembly Votes and Proceedings*.
- 26 For example, George Riley's grant for roofing iron, APB minute 27 October 1898; William Russell's grant for fencing wire, minute 19 April 1900, SRNSW, Aborigines Welfare Board, Minute Books 1890-1901, 4/7108-15, SR reels 2788-2789.
- 27 Twomey, p. 327.
- 28 The Commonwealth Franchise Act of 1902 prevented 'Aboriginal natives' from registering to vote unless they were entitled under Section 41 of the Australian Constitution; that is, already on a State roll.
- 29 Graham Orr, *The law of politics: elections, parties and money in Australia*, Sydney, 2010, pp. 67-68.
- 30 Sawer, pp. 52, 64.
- 31 Sawer, p. 58.
- 32 Jennifer Norberry, 'The Evolution of the Commonwealth Franchise: tales of inclusion and exclusion', in Orr, Mercurio and Williams, p. 84.
- 33 Australian Electoral Commission, p. 6.
- 34 Chesterman and Galligan, pp. 92-8, 134-9, 157-8.
- 35 Chesterman and Galligan, p. 98.
- 36 John Amatto or Matto (born c.1815 Coromandel, New Zealand, died 1900 Roseby Park, Nowra) was brought to New South Wales to work on the Berry Estate. A detailed family tree of his descendants is held at the Berry Historical Society.
- 37 Frances Paterson, 'History in Black and White', *History*, September 2001, pp. 12-15; Mickel Cowie, 'Descendants Peggy Lambert', unpublished paper, 2006 and personal communication with Cowie, 20 June 2006. Mickel Cowie said that his mother Madge Green regarded the Greens as of Kamilaroi descent.
- 38 George Green appeared only on the 1913 electoral roll when he was a miner at Yerranderie.
- 39 Smith, 1991, p. 23,
- 40 Jim Kohen, *The Darug and their Neighbours*, Blacktown, 1993, pp. 138-9.
- 41 Annual reports of the APB.
- 42 Russell, p. 23.
- 43 Jim Smith, 'Katoomba's Fringe Dwellers', in Eugene Stockton (ed), *Blue Mountains Dreaming*, Winmalee, 1993, p. 124.
- 44 Addresses from electoral rolls.
- 45 Gloria Ardler, *The Wander of it All*, Sydney, 1991, p. 23. The last appearance of the Shepherds on the Burratorang electoral roll was for 1925.
- 46 APB Minute, 20 June 1901, SRNSW, Aborigines Protection Board, Minute Book, 4/7115, SR reel 2789.
- 47 Don Elphick, *Aborigines mentioned in the Minutes of the Meetings of the New South Wales Aboriginal Protection Board and the Aboriginal Welfare Board*, Canberra, 1998.
- 48 Anon, 'Sports at Burratorang', *Picton Post*, 9 January 1901.

49 Russell, pp. 14, 16.

50 Personal communication, Ivy Brookman, 2005.

51 Jan Ross, *A History of Queen Victoria Memorial Hospital*, Picton, 1997, p. 10.

52 Information on births from Ivy Brookman's family history archives.

53 Letter from Ivy Brookman to Jim Smith, 2005.

54 Hogan and Muir, p. 26.

55 Only males over 21 were eligible to enrol in these years.

56 Censuses of Aboriginal people are contained in the annual reports of the Aborigines Protection Board. These reports are contained in the *Votes and Proceedings of the New South Wales Legislative Assembly*. The figures are not strictly comparable as the APB numbers include males 20 years of age and older and the Picton police district (for which the census figures are given) included a larger area than the Burratorang Valley. However, very few Aboriginal men in this police district lived outside the Burratorang Valley.

57 Doukakis, p. 31.

58 Audrey Oldfield, *Woman Suffrage in Australia*, Melbourne, 1992, p. 64.

59 The Sherritts originally applied for part of AR26, AR10159 and AR14937. The Rileys applied for part of AR26 and AR40798.

60 Sonia den Hertog, *A History of Burratorang Valley from the Records*, The Oaks, 1990, p. 27.

61 Smith, 1991, p. 16.

62 'Aborigines Protection Board, Annual Report for 1891', *Votes and Proceedings of the Legislative Assembly of NSW*, 1892-93, vol 7.

63 Summarised in Goodall, pp. xxii-xxiv.