



**HERITAGE
COUNCIL**
OF WESTERN AUSTRALIA

REGISTER OF HERITAGE PLACES – ASSESSMENT DOCUMENTATION

11. ASSESSMENT OF CULTURAL HERITAGE SIGNIFICANCE

The criteria adopted by the Heritage Council in November 1996 have been used to determine the cultural heritage significance of the place.

The documentation for this place is based on the heritage assessment completed by Dr Cathie Clement, Historian and Rosemary Rosario, Architectural heritage consultant, in November 2004, with amendments and/or additions by HCWA staff and the Register Committee.

PRINCIPAL AUSTRALIAN HISTORIC THEME(S)

- 2.6.1 Resisting the advent of Europeans and their animals
- 2.6.2 Displacing Indigenous people
- 3.11.5 Establishing water supplies
- 4.5 Making settlements to serve rural Australia
- 7.7.1 Providing for the common defence
- 3.5.1 Grazing Stock

HERITAGE COUNCIL OF WESTERN AUSTRALIA THEME(S)

- 104 Land allocation and subdivision
- 203 Road transport
- 204 Droving
- 404 Community services and utilities
- 506 Tourism
- 507 Water, power, major transport routes
- 601 Aboriginal people
- 602 Early settlers

11.1 AESTHETIC VALUE*

Derby Town Commonage creates a vista characteristic of much of the natural West Kimberley landscape, which is enhanced by the Boab Prison Tree, and the two large boab trees that stand sentinel-like on either side of the northern access road. The visual character of the Commonage changes with the seasons adding to its aesthetic value. (Criterion 1.1)

* For consistency, all references to architectural style are taken from Apperly, R., Irving, R., Reynolds, P. *A Pictorial Guide to Identifying Australian Architecture. Styles and Terms from 1788 to the Present*, Angus and Robertson, North Ryde, 1989.

For consistency, all references to garden and landscape types and styles are taken from Ramsay, J. *Parks, Gardens and Special Trees: A Classification and Assessment Method for the Register of the National Estate*, Australian Government Publishing Service, Canberra, 1991, with additional reference to Richards, O. *Theoretical Framework for Designed Landscapes in WA*, unpublished report, 1997.

11. 2. HISTORIC VALUE

Since 1888, *Derby Town Commonage* was a stopping point for people and livestock to rest, camp, and enjoy access to water within a day's travel of the port of Derby. (Criterion 2.1)

After a plentiful supply of artesian water was obtained from Myalls Bore in 1911, *Derby Town Commonage* became the last overnight camp for the thousands of head of livestock that were shipped out of Derby each year. (Criterion 2.1)

During the Second World War service personnel occupied *Derby Town Commonage* and constructed Frosty Pool, leaving a physical reminder of the role of the armed services in the protection of Australia's north during the war. (Criterion 2.2)

Myalls Bore, originally known as Mayall's Bore, is named for Alf Mayall who, in addition to sinking the original Mayall's Well about one kilometre to the south-west in the early 1890s, lived and worked in the West Kimberley between 1879 and 1898. (Criterion 2.3)

11. 3. SCIENTIFIC VALUE

The 1917 construction of a concrete trough, which is approximately 100m long and has remained watertight and intact since that time, is an example of technical achievement and innovation. (Criterion 3.3)

11. 4. SOCIAL VALUE

The Boab Prison Tree is a registered Aboriginal site and is highly valued by the Indigenous people for whom it has cultural and spiritual significance. (Criterion 4.1)

The Boab Prison Tree, the long concrete cattle trough, and Frosty Pool are valued by the community as well-known tourist attractions. (Criterion 4.1)

The various elements of *Derby Town Commonage* contribute to the local community's sense of place for their historic value. (Criterion 4.2)

12. DEGREE OF SIGNIFICANCE

12. 1. RARITY

Derby Town Commonage includes a 100 metre concrete cattle trough which is rare due to its usually large size and is reputed to be the longest cattle trough in the Southern Hemisphere (Criterion 5.1)

12. 2 REPRESENTATIVENESS

Derby Town Commonage is an example of the parcels of land that governments set apart in the nineteenth century to provide rest areas and fresh water for travellers and travelling livestock. (Criterion 6.1)

12. 3 CONDITION

Derby Town Commonage is managed and maintained by the Shire of Derby-West Kimberley and is in good condition. Landscaping and a pavilion containing interpretive material were installed in 2001 and are in good condition. The concrete trough is in sound condition. Frosty Pool shows evidence of deterioration of the concrete around the perimeter and requires stabilization to prevent further deterioration occurring. The holding yards are in fair condition and capable of restoration or upgrading for future use.

12. 4 INTEGRITY

Although no longer used for short-term grazing, *Derby Town Commonage* has moderate integrity.

12. 5 AUTHENTICITY

Derby Town Commonage has high authenticity. The main man-made elements that remain extant are in their original state. The concrete trough (1917) and Frosty Pool (1944), the holding yards (1959/60) and the remnant of Derby Highway, remain as originally constructed. The natural pindan woodland remains on the Commonage.

Holman House, although relocated, is intact and of moderate authenticity. The original verandahs have been enclosed but these are capable of restoration to original detail.

13. SUPPORTING EVIDENCE

The documentation for this place is based on the heritage assessment completed by Dr Cathie Clement, Historian and Rosemary Rosario, Architectural heritage consultant, in November 2004, with amendments and/or additions by HCWA staff and the Register Committee.

The recommended curtilage for *Derby Town Commonage* is an area of approximately 25ha bordered on the north by the Derby–Gibb River Road, on the west by the Derby Highway, on the south by the northern boundary of Fitzroy Location 31, and on the east by a line eastward of the DCA bores and the adjacent access road. That curtilage encompasses a portion of Reserve 1326 “Commonage”, which contains the Boab Prison Tree, Frosty Pool, and Holman House, and, further, all of Reserve 28439 “Water and Quarantine (Stock)”, which contains Myalls Bore, the concrete cattle trough, and the holding yards.

13.1 DOCUMENTARY EVIDENCE

Derby Town Commonage is a culturally modified landscape containing elements that are reminiscent of the time before and after European colonisation in the West Kimberley. Those elements include the Boab Prison Tree, Myalls Bore (1911), a concrete cattle trough (1917), Frosty Pool (1944), holding yards (1959/60) and Holman House (relocated c. 1986).

During the nineteenth century the Nyikina people occupied the country that became *Derby Town Commonage*. These people saw Europeans as early as 1838 when a party from HMS *Beagle* gave the name Fitzroy River to water known as *Raparapa*.¹ The mouth of the Fitzroy River is south south west of *Derby Town Commonage* and separated from it by a large expanse of bare marsh. Whether the tree now known as the Boab Prison Tree was visible to the mariners is unknown. Also unknown is whether the recorded presence of human bones in that tree during the 1910s is indicative of its use as an ossuary:

. . . the butt of the tree is represented by a shell of bark enclosing an empty space. There is only one entrance to this space, which is by way of an oblong slit in the bark. The natives have long been in the habit of making use of this *lusus naturae* as a habitation; it is indeed a dry and comfortable hut. Some bleached human bones were lying upon the floor, which suggested that the tribe had also made use of the tree for disposing of the dead. A frontal bone of a skull clearly bore evidence that the individual had fallen a victim to the bullet of a rifle.²

Photographs from 1916 and 1934 show the tree and the entrance much as they appear today. In 1934, the hollow was said to be ‘littered with aboriginal bones’

¹ Kimberley Aboriginal Law and Culture Centre, *Yirra: Land Law and Language – Strong and Alive*, the Centre (KALACC), Fitzroy Crossing (WA), 1996, pp. 1 and 64 (map); Paul Marshall (ed.), *Raparapa Kularr Martuwarra: Stories from the Fitzroy River Drivers*, Magabala Books, Broome, 1988, pp. [104] and [287], ‘A map of the languages’; J. Lort Stokes, *Discoveries in Australia*; with an account of the coasts and rivers explored and surveyed during the voyage of H.M.S. Beagle, in the years 1837-38-39-40-41-42-43, London, 1846, facsimile edition, Libraries Board of South Australia, Adelaide, 1969, pp. 129–54. It is noted that much of the historical information in this assessment and on the signage at *Derby Town Commonage* has been drawn from extracts previously recorded and indexed by the Kimberley Historical Sources Project.

² Herbert Basedow, ‘Narrative of an expedition of exploration in North-Western Australia’, *Transactions of the Royal Geographical Society of Australasia, South Australia Branch*, vol. XVIII, session 1916–1917, pp. 105–295, reprinted, Adelaide, 1918, pp. 154–5.

and almost the size of 'a small room'. A 'fragmentary skeleton' was still there but word was that 'sightseers from the irregular steamers had souvenired others'.³

While the presence of the bones suggests that Indigenous people used the hollow tree as an ossuary, that use seems to be at odds with the 1916 assertion that they also used it as 'a habitation'.⁴ A question mark also hangs over the reputed use of the tree as a lock-up, gaol or prison. There is no consensus among Aboriginal people about that reputed use, and no documentary record has been located to either prove or disprove it.⁵ Documentary records do show, however, that Aboriginal people were detained in the general vicinity in the early 1880s.

Colonists began to occupy Fitzroy River land in 1881, weeks after the government approved hundreds of Kimberley pastoral leases. No surveying had been done, and no land other than a small area at Beagle Bay had been reserved.⁶

Members of the Murray Squatting Company were the first colonists to occupy a lease. They built their homestead on the Yeeda River, a branch of the Fitzroy.⁷ In the historical record, Yeeda station is important as a marker because, for 90 years, most of the traffic going in or out of Derby passed the station's homestead.

The establishment of Yeeda and other stations impacted on the Indigenous people. So did "recruitment" in which young Indigenous men were captured, chained, and walked long distances to provide labour on pearling boats. In the resulting conflict, an Aboriginal man killed a colonist named Anthony Cornish. The police then arrived. One party came in January 1883 to arrest Cornish's killer, the other in April 1883 to impose law and order and assist with the establishment of the town of Derby.⁸

The police and the labour recruiters detained Aboriginal people on the Yeeda and lower Fitzroy Rivers and the shores of King Sound.⁹ One Aboriginal man told police that W. Bryan, E. Wilson, Henry Hunter, and Alf Mayall had taken him from the Yeeda River area to a boat, in chains, in both 1881 and 1882.¹⁰ In another instance in 1884, a constable noted that four armed colonists camped at Nobbys Well and kept a night watch over the eight 'natives' they were escorting to a

3 *ibid.*, plate xv, opposite p. 154; Ion L Idriess, *One Wet Season*, Angus and Robertson, Sydney, 1949, p. 98 (photograph) and p. 140 (text).

4 Pat Lowe, *The Boab Tree*, Thomas C. Lothian Pty Ltd, Port Melbourne, 1998, p. 59.

5 David Mowaljarlai (now deceased), conversation with Cathie Clement, September 1994; Environs Kimberley, *Bulletin*, No. 23 and No. 24, 2002, and No. 31, 2004, letters to 'Mad Cow'.

6 Cathie Clement, *Australia's North-west: A Study of Exploration, Land Policy and Land Acquisition, 1644–1884*, Ph.D thesis, Murdoch University, 1991, pp. 277, 294–9, 317–20 and 335–6, with the distribution of the approved leases shown on p. 298.

7 State Records Office of Western Australia (SROWA), Department of Land Administration (DOLA), Cons 5112, Item 506 190, North 10A, Cancelled Public Plan, litho undated [but possibly 1881], cancelled 10 May 1900, and Item 506 194, North 11A, Cancelled Public Plan, litho drawn January 1881, cancelled 7 July 1890.

8 SROWA, AN 5/6, Police Department, Acc 129, 856/1883, Reports A B C D from the Officer in Charge of Kimberley Police Force, Reports C and D; *Western Mail* (Perth), 1 January 1910, p. 44, being the reminiscence of a man who was on Yeeda Station in 1881–1883, copy provided by Peter J Bridge; SROWA, Police Department, Acc 430, 1883/77, Perth, Sergeant O'Connell directed to proceed to King Sound to effect apprehension of murderers of Mr Anthony Cornish.

9 See, for example, SROWA, Police Department, Acc 430, 1883/77.

10 SROWA, AN 5/6, Police Department, Acc 129, 856/1883, Report C, Correspondence, evidence tendered by [?Tabernabal] alias Charlie.

pearling boat.¹¹ Nobbys Well is another historical marker because, until Mayall's Well was sunk, it was the only reliable source of fresh water on the marsh south of Derby.

Documentary records show two landing places on the eastern shore of King Sound. Tracks linked both with the stations, the closest one being about 20km from Yeeda. The other one was about 37km away, via Nobbys Well and a track along the eastern edge of the marsh. That landing was also accessible via a longer and better watered inland track.¹² The Boab Prison Tree, as well as being adjacent to the track along the marsh, was approximately 10km from the northern landing place and, travelling in a direct line, about 14km from the southern landing place.

The evidence presented above does not show that people were detained at or in the Boab Prison Tree. It does suggest, however, that such detention would not have been inconceivable during the early 1880s.

In the area immediately east and south of Derby, the importance of water sources cannot be overstated. The Indigenous people continued to rely on the swamps and 'native wells' but, from 1881, they had to share the water with all comers. In September 1883, the government had two men sink a well to obtain more water at Nobbys Well. Two months later, it reserved for "Public purposes" the land adjacent to both that well and the other water sources on the inland track to Derby. The reserve (632A) covered about 10,000 acres (4,047 hectares).¹³ That land is mostly pindan woodland.¹⁴

In September 1885, the tracks between Yeeda and the two landing places (Walcott's Landing and Derby) were declared main roads. Less than a year later, when thousands of prospectors headed for Halls Creek, the government advised that Nobbys Well was the first camping place outside Derby. The distance to the well was given as 12 miles (19km). The next camping place, ten miles (16km) away, was Yeeda. Within a few years, the Roebourne to Derby telegraph line would pass both of those places, with the 120-mile post being erected in the vicinity of the Boab Prison Tree.¹⁵

Towards the end of 1887, Nobbys Well was still the first stopping place out of Derby. By that time, the road board had 'erected troughs, and a small stockyard at this place, for the convenience of the travelling public'.¹⁶

In July 1888, the government cancelled Reserve 632A and created two Commonages. One (Reserve 1325) provided a 4,000-acre (1,619-hectare)

11 SROWA, AN 5/6, Police Department, Acc 129, 2229/84, Journal of Constable Edw. A Lemon.

12 SROWA, AN 5/6, Police Department, Acc 129, 395/1883, Report on Kimberley; SROWA, DOLA, Cons 4897, Item 505 892, K47, 80 Chain Plan, drawn 22 February 1884; SROWA, DOLA, Cons 4897, Item 505 893, K48, 80 Chain Plan, drawn 6 February 1884; SROWA, DOLA, Cons 4897, Item 505 897, K55, 80 Chain Plan, drawn 22 February 1884; SROWA, DOLA, Cons 4897, Item 505 898, K56, 80 Chain Plan, drawn 24 February 1884.

13 SROWA, AN 5/6, Police Department, Acc 129, 856/1883, Report D; *Government Gazette* (WA), 27 November 1883, pp. 540–1; SROWA, DOLA, Cons 4897, Item 505 892, K47, Item 505 893, K48, Item 505 897, K55, and Item 505 898, K56, all being 80 Chain Plans.

14 For information about pindan woodlands see the booklet of that name published by Environs Kimberley, Broome, in 2003.

15 *Government Gazette* (WA), 17 September 1885, pp. [441–2]; SROWA, DOLA, Cons 4898, 505 393, 6K, No. 4, Cancelled Public Plan, lithograph 5.6.1890, cancelled 20.6.1894; SROWA, DOLA, Cons 4898, 505 798, 7K, No. 5, Cancelled Public Plan, lithograph 2.10.1900, examined 30.10.1900, cancelled in parts; *West Australian*, 13 August 1886, p. [3].

16 'A Few Notes About Kimberley', *West Australian*, 24 November 1887, copy provided by Peter J. Bridge.

“Commonage for travellers and travelling stock” adjacent to Nobbys Well. The other (Reserve 1326) provided a 12,000-acre (4,856-hectare) “Commonage for Derby”.¹⁷ *Derby Town Commonage* comprises land from the western part of the original Reserve 1326.

The Derby Commonage afforded a resting place not only for people and livestock travelling to or from Derby but also for those waiting on ships. Wool had been exported since 1881, and, as cattle numbers increased, fat bullocks were exported. Their movement tended to be restricted to the cooler “Dry” season months, ie from May to September, but also had to fit in with the availability of steamers. In the drought years of 1890–1892, the drovers found that more wells or tanks were required between Nobbys Well and the port. The road board obtained a government grant in July 1892 and engaged Alf Mayall ‘to find fresh water at the Billabong’. He sank a well about one kilometre south-west of the Boab Prison Tree.¹⁸

The demand for water and vegetation on the Derby Commonage can be gauged by the Derby port statistics. In 1895, exports included 1,595 bales of wool, 1,442 cattle, and 7,916 sheep. The following year, the road board obtained a grant of £400 for a tank at Mayall's Well. That work was done in 1897 but drew criticism because, notwithstanding a small windmill and a pump, the water was ‘not nearly sufficient to meet present requirements’. Another two tanks, added in 1898, reduced the shortfall.¹⁹

In 1899, the management of Mayall's Well became more formal. The place had a caretaker, and the government took land from Reserve 1326 “Commonage” to create a ten-acre (four-hectare) reserve (No. 3960) around the well. The purpose of the new reserve was “Water”.²⁰

The Derby Commonage continued to be used as an overnight camp for livestock awaiting shipment. The routine nature of the camps precluded their mention in documentary records but the police often noted shipments, drovers' names, and the origin and number of livestock. On 28 June 1901, for example, they showed the SS *Kolya* clearing with 1,650 fat sheep and 300 fat cattle before the SS *Saladin* cleared with 99 fat bullocks and 433 store sheep. Six or more droving parties had delivered the two Fremantle-bound shipments from four or more stations.²¹

Drovers and travellers continued to use Mayall's Well but people were also looking for supplies of artesian water. The government had begun a state-wide program of exploratory drilling in 1897, and, by 1906, it had a drilling team working east of Reserve 1326. Successive “Wet” seasons interrupted the team's

17 *Government Gazette* (WA), 12 July 1888, p. 369; SROWA, DOLA, Cons 4897, Item 505 892, K47, Item 505 893, K48, Item 505 897, K55, Item 505 898, K56, 80 Chain Plans.

18 *West Australian*, 25 November 1881, p. 3; G. C. Bolton, ‘A survey of the Kimberley Pastoral Industry from 1885 to the Present’, M.A. thesis, UWA, 1953, pp. 53–6 and 60; *Western Mail*, 3 October 1891, copy provided by Peter J. Bridge; *Government Gazette* (WA), 4 May 1893, p. 489.

19 *Northern Public Opinion*, 30 January 1897, 5 June 1897, and 30 July 1898, copies provided by Peter J. Bridge; *Government Gazette* (WA), 11 February 1898, p. 364.

20 SROWA, AN 5/1, Police Department, Acc 430, 4310/99, West Kimberley District, Derby Station, Journal of Police Constable Napier (452) 9.10.99 to 10.10.99; *Government Gazette* (WA), 1 December 1899, p. 3977.

21 SROWA, AN 5/Derby, Police Department, Acc 738/16, Occurrence Book, 22.4.1900 - 14.2.1902, entries for 27 and 28 June 1901.

work but, by 1910, it had achieved success in two places on the Derby–Lennard Road. Drilling then began in the vicinity of Mayall's Well.²²

In all, three bores have been drilled at Myalls Bore,²³ and, over time, the spelling of the bore name has changed from Mayalls to Mayhalls and, in recent decades, to Myalls.²⁴ Those changes are due, in part, to Alf Mayall having left the Kimberley in 1898,²⁵ and to people having lost track of his link with Mayall's Well.

Each bore was drilled to benefit livestock awaiting shipment. Initially, the water flowed onto the ground, creating a picturesque setting:

Four miles from Derby a bore at Mayall's Well, some 2,000 feet deep, keeps a large billabong, nearly a mile in length, permanently filled with good water.²⁶

The West Kimberley District Road Board leased the government bore and, in the year ended 30 June 1917, it spent £581.2.10 having a concrete trough built there. The design of the trough is credited to John Tait Blain (the road board secretary) while its construction is credited to Joe Griffin (a Derby contractor).²⁷ Whether the whole length of the current trough was built in 1917 is unknown. A surveyor who camped beside it in 1934 recorded its length as 110 yards (100 metres).²⁸

It was also in 1934 that Ion Idriess visited Myalls Bore. Kimberley tourism was in its infancy but he would not have been alone in admiring the “Wet” season aesthetics:

A line of emerald-green rushes marked the Well and bore, birds were chirping all along the greenery out of which stood the big fat baobabs lining the edge of the Pindan scrub. But by the Well one huge old baobab was a landmark; its heavily foliated branches of dense, dull-green leaves could shelter Derby picnic parties with ease.²⁹

A practical use had also been found for the hollow boab:

Recently, inside that hollow a telephone had been fitted, and from here the drover rings up his agent in Derby, thus learning “to the minute” when the steamer will be ready for the cattle.

-
- 22 A. D. Allen, *Groundwater: The Strategic Resource: A geological perspective of groundwater occurrence and importance in Western Australia*, Geological Survey of Western Australia, Report 50, 1997, p. 57; Bolton, 'A Survey', p. 152; *Minutes and Votes and Proceedings of the Parliament (WA)*, 1911–12, vol. 1, Paper No. 17, Annual Report of the Department of Public Works for the year ending 30 June 1911, pp. 20–7.
- 23 Waters and Rivers Commission, Perth, AQWABase, Bore ID 3663-3-NE-0001, citing file references GS 42/57, WS 667/26, GS 171/64; Vol 11, HR 90/44. It is noted that Bore ID 3663-3-NE-0002 refers to 'Myalls Bore No 2', citing file references PWD 684/60, HR 1990/44. Also noted is that Bore ID 3663-3-NE-0117 refers to 'Myalls Replacement', drilled on 30 June 1981 by the PWD for the Government.
- 24 See, for example, the various spellings within *Minutes and Votes and Proceedings of the Parliament (WA)*, 1911–12, vol. 1, Paper No. 17.
- 25 *Western Mail*, 15 February 1923, letter to the Editor, copy provided by Peter J. Bridge.
- 26 Jas. S. Battye (ed.), *The History of the North West of Australia embracing Kimberley, Gascoyne and Murchison Districts*, V.K. Jones & Co., Perth, 1915, facsimile edition, Hesperian Press, Carlisle, 1985, p. 117.
- 27 SROWA, AN 39/1, Department of the North West, Acc 251, 169/1923, Derby W.S. – Transfer of Control – Constitution of Area & Board, etc., p. 17; *Government Gazette (WA)*, 14 September 1917, p. 1466–7; Audrey Goldsmith Hudson-Taylor to Curator Museum Arts and Crafts Centre Derby, letter dated January 1990, held by Derby Public Library, Local Studies Collection; Marshall (ed.), *Raparapa*, p. 148, chapter by Ivan Watson. It is noted that the contractor's last name was probably Griffiths.
- 28 A. Philipps, *No Borrowed Gold*, Access Press, Perth, 1982, pp. 60–2.
- 29 Idriess, *One Wet Season*, p. 140.

For this is the last camp of the cattle after coming down the Fitzroy; here they receive their last Kimberley drink before being droved the final four miles into Derby and the cattle boat.³⁰

Alternate uses continued to be found for parts of the Derby Commonage. In 1935, for example, land taken from Reserve 1326 and an adjacent pastoral lease went into a reserve of about 3,000 acres (1,214 hectares) for “Hospital Site—Leprosarium”.³¹ That place is now listed on the State Register as *Bungarun (Leprosarium) Derby*.

Another alternate use emerged during the Second World War when service personnel occupied the Commonage. Ivan Watson, who was a teenager at the time, later recalled:

They had a district platoon up here headed by Sergeant Mason. You can see their inscription on the old concrete swimming pool at Myalls’ Bore today. Actually, I remember Sergeant Mason from when the mob used to camp in Derby. The army had all that area from Myalls’ Bore right out to where old Mowanjum is. All that area, including the area right back to the bend in the road, was taken up with fuel dumps. They used to use convoys to cart provisions from there out to the base at Noonkanbah.³²

The small swimming pool, which is known as Frosty Pool, was Corporal Frost’s idea. Bill Fitzgerald and Jack O’Mara (drivers from the 125th Australian General Transport Company) helped to build it in 1944. Filled with water piped from Myalls bore, it was used by officers and other ranks at different times. The service personnel camped in tents with ant-bed floors and, like the drovers, they bathed and did their laundry using water from a concrete holding tank set between the bore and the cattle trough.³³ That tank is no longer extant. The Boab Prison Tree was used for storage purposes, and a concrete pad was built near it (for an unknown purpose).³⁴

After the war, an increasing number of writers mentioned Derby and its attractions. J. K. Ewers wrote about Myalls Bore, ‘Australia’s longest cattle trough’, and the boab tree that was once used ‘for a gaol’. G. M. Glaskin mentioned the ‘famous’ tree having been ‘hollowed out and used as the township’s jail’. Mary Wilcocks noted the presence of ‘the famous prison bottle tree, and the longest cattle trough in the southern hemisphere’.³⁵

The increased attention was due in part to an improvement in the north–south road across the Commonage. Drivers used the marsh track between Derby and Yeeda as late as 1948 but, after that, they enjoyed ‘a formed road of hard red

30 ibid.

31 *Government Gazette (WA)*, 29 November 1935, p. 2237.

32 Marshall (ed.), *Raparapa*, p. 131.

33 David Thom (Broome), Jim Carroll (Cannington), Jack O’Mara (Ballajura), and Bill Fitzgerald (Falcon), conversations with Cathie Clement, 26 April 1999, 27 April 1999, 29 April 1999, and 11 October 1999.

34 Sam Lovell (Derby), Conversation with Pam Masters, May 1999; Bill Fitzgerald (Falcon), conversation with Cathie Clement, 11 October 1999.

35 J. K. Ewers, ‘Derby’, *Walkabout*, 1 May 1949, pp. 38–40; Mary Wilcocks, ‘On The Move: Katherine to Carnarvon’, *Walkabout*, May 1966, p. 43, copies provided by Peter J. Bridge; G. M. Glaskin, *The land that sleeps*, Doubleday & Company, Inc., New York, 1961, p. [129].

earth' and five miles (8km) of sealed road between Derby and the aerodrome.³⁶ The sealed road was to the west of Myalls Bore and the Boab Prison Tree.

The 1950s and 1960s brought change, with new roads giving pastoralists a choice between droving and trucking their livestock. The roads included the Derby–Gibb River Road, which passes through the northern part of the Commonage. In 1959, the P.W.D. built new holding yards near Myalls Bore so that cattle could be sprayed with insecticide (in a water-wall spray unit) to reduce the spread of buffalo fly and tick. The following year, the P.W.D. altered the yards and erected an ablution block for drovers and cattle transport drivers at Myalls Bore. The government then took land from Reserve 1326 “Commonage”, making the bore and the yards part of Reserve 28439 “Water & Quarantine (Stock)”. The ablution block has gone, and the yards are idle, but Reserve 28439 still exists.³⁷

Another development occurred in the late 1980s as a result of major reconstruction work at the Derby District Hospital. That work made it impossible to retain Holman House, a hospital residence built by Owen Ah Chee (a local builder) and later named after Lawson Holman, a Derby doctor for 15 years from 1956 and who was also actively associated with local government and was an innovator as far as health services were concerned. Holman House was moved to the Derby–Gibb River Road frontage of *Derby Town Commonage* after community members rallied to save it.³⁸

On 3 February 1999, the Boab Prison Tree also known as Kunamudj, was registered under the *Aboriginal Heritage Act 1972*. It is recognized as a ceremonial and mythological site associated with Kunamudj, the shark.³⁹

In September 2004, Holman House was vacant, in need of attention, and separated by pindan woodlands from the section of *Derby Town Commonage* that is used for tourism. The latter section is heavily used throughout the “Dry” season when thousands of visitors call there to look at the Boab Prison Tree, the concrete cattle trough, Frosty Pool, the interpretive pavilion (2001), and the landscape. The Shire of Derby/ West Kimberley is negotiating a lease agreement for Holman House with an Aboriginal Corporation for the purpose of establishing a Visitor Centre and Art Gallery. The tourist attractions, which are managed by the Shire Council, are well presented.

13.2 PHYSICAL EVIDENCE

Derby Town Commonage, located approximately 7km from the centre of Derby at the intersection of Derby Highway and the Derby–Gibb River Road, comprises an area of approximately 25 hectares, identified as portion of Reserve 1326 and including Reserve 28439.

36 Stuart Gore, *Overlanding with Annabel*, Angus and Robertson, Sydney, 1956, pp. 92 and 95–7; Minute from the Commissioner, 3 February 1950, file 390-47, cited by Leigh Edmonds, *The Vital Link: A History of Main Roads Western Australia 1926–1996*, UWA Press, Nedlands, 1997, p. 121.

37 *North Australian Monthly*, November 1958, p. 27, August 1959, p. 51, and July 1960, p. 38, copies provided by Peter J Bridge; Edmonds, *The Vital Link*, pp. 167–70, 186, and 220–1; Government Gazette (WA), 10 March 1967, pp. 690 and 700, and 6 June 1980, pp. 1661, 1677, and 1678.

38 Kimberley Echo, 15 August 1985, p. 4; News of the North (supplement to The West Australian), 6 March 1986, p. 7; 20 March 1986, p. 8; 1 May 1986, p. 2; and 15 May 1986, p. 2; W. S. Davidson, *Havens of Refuge: A History of Leprosy in Western Australia*, UWA Press for the Public Health Department, Perth, 1978, pp. 110–11.

39 Department of Indigenous Affairs, letter to Heritage Council of Western Australia, dated 26 May 2005, on Heritage Council file P7214

Derby Town Commonage comprises land that was set aside for community use in 1883 and is still retained for that purpose.

Derby Town Commonage is located on the eastern side of Derby Highway and south of the Derby–Gibb River Road intersection. When traveling north towards Derby on the Derby Highway, a signpost to the Boab Prison Tree indicates the commencement of the *Derby Town Commonage*. As well as the Boab Prison Tree, the site contains Myalls Bore (1911), a concrete cattle trough (1917), Frosty Pool (1944), disused holding yards with remnants of former structures (1959/60), a disused section of the Derby Highway on its previous alignment, and a timber framed and fibrous cement clad residential building, known as Holman House (relocated c.1986).

The Boab Prison Tree is located approximately 500m to the east of the Derby Highway with access from an unsealed roadway that passes on the southern side of Myalls Bore and the concrete cattle trough. At the end of the roadway is a car park and from there the visitor walks the last 100m along a pathway that passes under the interpretive shelter erected by the Shire of Derby/West Kimberley in 2001. The shelter is steel framed with a white Colorbond roof. Steel frames support interpretive panels that provide information on the history, natural environment and Aboriginal heritage of *Derby Town Commonage* and environs.

The Boab Prison Tree is located in a clearing in the surrounding pindan woodland at the end of the unsealed path from the car park. Bollards prevent vehicular access. The clearing is about 30m in diameter and there is a 2.2m cyclone fence the perimeter with an opening for the pathway. The tree, an aged Boab tree (*Adansonia gregorii*), is in the centre of the clearing and is surrounded by a protective fence constructed of 12 bush poles 1.2m high and 3m apart with more bush poles forming a top rail and with five parallel wires approximately 3m across limiting access to the tree enclosure.

Other features within the cleared area include a timber bench, a large termite mound, an interpretive sign, and a Cooliman tree (*Gyrocorpus americanus*). The interpretive sign, devised by the department now known as Indigenous Affairs, reads:

Site of Significance

The significance of the Prison Boab Tree derives from its reputed use as a rest point for police and escorted Aboriginal prisoners en-route to Derby, and principally, its prior but less publicly known connection with Aboriginal traditional religious beliefs.

The Prison Boab Tree attracts many visitors. The fence was erected out of respect for the religious significance of the Prison Boab Tree and to prevent pedestrian traffic from compacting the soil around its roots.

The site is protected under the Aboriginal Heritage Act 1972. Please be advised that unauthorized entry beyond the perimeter fence is prohibited.

Note that snakes are known to inhabit the tree.

The Cooliman tree (*Gyrocorpus americanus*) in the clearing is a species of softwood that was used by Aboriginal people to make the carrying dish known as a 'Cooliman'. The wood has an unpleasant smell when burnt.

The Boab Prison Tree and surrounding area is in fair to good condition and is protected and managed by the Shire of Derby/ West Kimberley as a major tourist

attraction. It is recognized as a place of great significance to Aboriginal people and the local community in general.

On the northern side of the parking area, a steel framed picnic shelter marks the eastern end of the concrete cattle trough. The trough runs parallel to the entrance road on its northern side. It is approximately 100m long, 1.2m wide, 300mm deep and filled with water. The side walls are 140mm thick concrete with squared edges. Half way along the trough is a concrete partition wall. The trough is in fair to good condition. There is some minor cracking of the concrete edge at the western end.

Approximately 10m from the western end of the trough a steel windmill approximately 15m high, is enclosed in a cyclone fenced compound, approximately 7m square and 2.2m high. The windmill has replaced the artesian supply that previously came from Myalls Bore. Some large boulders painted white are located between the windmill compound and the entry road.

Further to the north, on *Derby Town Commonage*, is Frosty Pool. The pool is located approximately 10m from the Derby Highway and 100m north of the concrete trough. The GPS location of the pool is 8081653N by 51 570836E.

Frosty Pool is a concrete lined dip pool constructed in 1944 by army service personnel. It is partially enclosed by a tubular steel framed cyclone wire fence approximately 1.2m high. One section of the fence had been left open. The structure has a stepped concrete edge with the first step 200mm above the ground and 300mm wide and the second 200mm higher and 360mm wide. The water level inside the pool is approximately 300mm below the top of the wall. There is a concrete ledge level with the top of the structure at one end. On the edge of the concrete surround the words 'Frosty Pool' and 'No 3 Platoon 125 Aust Gen TPI Co July 1944' appear. Sections of the concrete surround are broken and the words are partially worn away. The ground around the perimeter of the pool is covered with gravel with a concrete strip 150mm wide laid at ground level 950mm from the edge of the pool.

The area behind Frosty Pool to the east is low pindan scrub and bushland. Parts of an earlier alignment of the Derby Highway are visible in the vegetation and still in use as an unsealed track with several deteriorating stone culverts. The telegraph line followed the earlier road alignment as evidenced by remnant telegraph posts.

The *Derby Town Commonage* holding yards are located further to the east between the old Derby Highway and the Derby–Gibb River Road across an area of pindan and scrub where a billabong previously formed. The character of the area changes with the seasons, sometimes featuring a growth of tropical reeds, grasses and bamboo. The yards, located at GPS 8081928N by 51 57026E, cover an area of approximately 150m x 150m and comprise a series of enclosures constructed of steel railings and timber. An asbestos cement clad structure with a skillion roof on their northern side contains a concrete pit, which was once used for treating cattle with insecticide. A concrete water tank is located east of the building and there are several water tanks on the eastern side of the cattle yards. The holding yards are not in use and are in a deteriorated state, however would be capable of restoring or upgrading for future use if so required.

On the eastern side of the holding yards are a series of DCA water tanks and bores. An access road from the Derby-Gibb River Road to this area and the

north-eastern edge of the Commonage is marked as an entry statement by an attractive pair of mature Boabs (*Adansonia gregorii*).

On the north-western corner of *Derby Town Commonage*, enclosed by an area of trees and introduced garden shrubs, is the former Derby Hospital doctor's residence, Holman House. This was relocated from the Derby Hospital site circa 1986. Land containing the house is proposed for excision from Reserve 1326 "Commonage". The GPS coordinates for the house site are 8082236N by 51 570779E.

Holman House is aligned at an angle to the Derby-Gibb River Road to face approximately north-west on the site. The entrance gate has also been relocated and placed approximately 10m from the road with a sign that reads, 'Holman House' over the top.

Holman House is a timber framed, flat asbestos sheet clad former residence with a steeply pitched, hipped, painted corrugated iron roof. There are no gutters or downpipes and, as is typical for relocated buildings in the Kimberley, the floor of the building is supported on tubular steel posts that stand approximately 1m above ground level. The building is rectangular in plan with a separate kitchen wing linked at the back.

The original house comprises the core of the structure. This comprises a central room, or breezeway, with two rooms on either side. On one side the internal walls have been partially removed. The original rooms open onto a verandah on all sides that has been enclosed to form nine additional rooms together with a bathroom and laundry area. Original rooms have timber framed glazed pairs of doors with fanlights or single panelled doors with fanlights. The more recent verandah enclosures have aluminium framed windows and flush panel doors. One pair of original doors has been removed and the opening blocked, but the others remain extant. There is an open porch on the eastern corner of the house with access to the enclosed back verandah. This is used for access although the original entrance is on the northern side. A separate kitchen is attached and includes two store rooms and an original metal chimney flue to the stove. The kitchen was probably part of the original house. The western end of the back verandah has a toilet, bathroom and laundry trough in an enclosed area.

Holman House is intact and in fair to poor condition. The Shire of Derby/ West Kimberley is negotiating a lease agreement with an Aboriginal Corporation for the purpose of establishing a Visitor Centre and Art Gallery. The building is capable of restoration and, although relocated, of significance in its own right.

13.3 COMPARATIVE INFORMATION

The composite nature of *Derby Town Commonage* means that comparative information is not readily available for the place. Some of the elements can be related to comparative places of similar function or purpose, or to comparative places that are from the same period.

The Chimooly Dam and Stockyards on the old Durack Stock Route into Wyndham had, to some extent, a similar function and purpose to Myalls Bore, the cattle trough and the holding yards. Both places have an historical association with livestock being held outside the towns and their ports.⁴⁰ Closer to Wyndham townsite is the location surrounding The Boab Tree - Wyndham Caravan Park

⁴⁰ See O'Brien Planning Consultants, Municipal Heritage Inventory for The Shire of Wyndham-East Kimberley, prepared for the Shire, Kununurra, May 1997, Place No. 12.

that was the site of Wyndham townsite gatherings. It was the venue for the original rifle range, golf course and cricket pitch. Cameleers and mounted police also camped in the vicinity. Adjacent to the Wyndham meatworks is an area of fencing that was part of the holding pens used prior to the processing of the cattle. This area had a similar function in part to *Derby Town Commonage*.

The Kimberley Land Boab Tree, and the Prison Boab Tree (also known as the Hillgrove Lockup) in King River Road, Wyndham, are similar to the Boab Prison Tree on *Derby Town Commonage*. They are comparative in terms of size, estimated age; function as meeting places, and current status as tourist attractions.⁴¹ It should be noted that the inclusion of the Hillgrove Lockup in this short list does not imply that the Boab Prison Tree on *Derby Town Commonage* was used to hold prisoners.

No available information was found to enable either the cattle trough or Frosty Pool to be compared to other places.

On the basis of physical inspection, Holman House can be dated to circa 1915. In Derby, there are few surviving residential buildings from this period. The original section of the house has some details that are similar to the *Wharfinger's House Derby*, located on the north east corner of the Elder and Loch Streets intersection in Derby. Buildings at *Bungarun (Leprosarium) Derby* are also of similar proportion and detail. There are no other known similar places extant in Derby, however similar residential buildings survive in Broome and Wyndham. The floor plan of Holman House is typical of Kimberley residential buildings of the early to mid twentieth century, comprising a central breezeway with rooms on either side, surrounded by an open verandah, and with a separate kitchen.

13.4 KEY REFERENCES

Kimberley Historical Sources Project, D~Commonage, electronic files.

13.5 FURTHER RESEARCH

Research should be undertaken to ascertain whether similar Commonages existed near other coastal towns and whether comparable use was made of such places. The shipping of cattle out of Wyndham and, to a lesser extent, out of Broome, suggests that areas adjacent to those ports may be comparative places of similar function or purpose. Other areas adjacent to ports south of Broome might also be comparative places.

An effort should be made to record and decipher the graffiti and other markings on the Boab Prison Tree and other comparable trees. Some markings will have historical significance.

An assessment should be done for the area surrounding the disused Mayall's Well, which is on the opposite side of the Derby Highway to Myalls Bore and thus outside the curtilage recommended for *Derby Town Commonage*. Myalls Bore (originally known as Mayall's Bore) supplemented and then replaced Mayall's Well. The Mayall's Well area was once part of the Commonage and is mentioned in the visitor information near Myalls Bore. Brief references to Mayall's Well occur in archival records, electoral rolls, and files maintained by the Kimberley Historical Sources Project. Further archival research is required to document the history of the place. An archaeological inspection is required to determine both its precise location and the extent and nature of relevant archaeological material.

⁴¹ See O'Brien Planning Consultants, Municipal Heritage Inventory for The Shire of Wyndham-East Kimberley, Places No. 7, 29 and 43.

