



# THE PICK OF THE GREAT NORTH ROAD

## Pick Volume 1:4

### John McDougall : From Convict to Landholder

By Kenneth Conrad Marheine

This chronicle is about John McDougall, who rose from the position of convict to become a man of wealth with a great amount of land and many belongings. It is unfortunate that legend deals unkindly with his memory but although these incidents cannot be proved to have occurred, neither can they be disproved, except by applying logic and common sense to them.

Tales such as forcing a convict to squat in a small wooden box and passing a rod through to lock his head between his knees, or the tale of yoking a gang to a plough and flogging them down the track, all receive belief by unthinking persons. A tale about a creek on the Old Maitland Road, known as Deadman's Creek, serves to illustrate this well. McDougall is accused in legend of chaining three convicts to a log and felling another tree onto them to kill them. But another story is about a convict who absconded from a rough gaol at Wollombi and was later followed by a friend to fetch him back. No sooner had the friend found the escapee than the military came on the scene and chained them to a log for the night. However, a violent storm occurred during the night and lightning struck a tree that fell across the two chained men. Which tale do you believe?

Another story is about Euphemia McDougall holding a baby on the balcony of the pub. McDougall was supposed to be flogging a convict tied to a tree. Euphemia called out, "Give him another stroke and make the baby laugh!" This legend persists despite the fact that the pub was further along the Wollombi Road, it was not two-storeyed and hadn't been built at the time.

Apart from stories of his sadistic behaviour, the fact remains that the law protected the convict. He could not be summarily punished but was to be charged before a magistrate



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for any wrongdoing. McDougall was a ‘boss’ and consequently tales were told about him in the same way as exists today in industry. But McDougall had a job to do and he did it. He was dealing with the worst from England – they were not church choir boys – and he had no authority to punish them; only a magistrate could do that.

John McDougall, along with Robert Harries (alias Wilson) and Elizabeth McLean (alias Haries) were charged with theft by means of housebreaking at Dumfries in Scotland. McDougall pleaded guilty and all three were sentenced on September 23, 1819. The two men were sentenced to ‘be transported beyond the seas to such place as His Majesty may appoint, for and during all the days of their lives’ whilst Elizabeth McLean was to suffer transportation for seven years. The gaoler records that Robert Harries and John McDougall ‘were removed from the jail here on the 24 March 1830 to go into transportation’. What befell Elizabeth McLean, the record does not say. McDougall arrived on the *Agamemnon*, which sailed from Portsmouth on May 3, 1820 and reached Sydney Cove on September 22, 1820.

The first information regarding McDougall’s employment in the colony shows him employed at the Grose Farm Orphan School.<sup>1</sup> The second piece of extant information<sup>2</sup> shows him as an overseer for John Oxley on July 23, 1824. He was receiving a ration of 1.5<sup>3</sup> and the 1822 muster<sup>4</sup> records him as being at John Oxley’s clearing party. McDougall then disappears from the records until November 1827 when he re-appears as a member of No 2 Iron Gang under Christopher McDonald at the ‘Weatherboard Hut Bastion’. On the same report (in the remarks column) he is shown as discharged from the gang to be assistant overseer at the 44 mile tree, which was a location 44 miles from Windsor, where the road to Bathurst commenced.

How had he become a member of an iron gang? What further crime had he committed? The answer lies in the reply to the Rev. F. Wilkinson from the Principal Superintendent of Convicts regarding McDougall’s colonial record when he applied for permission to be married:

- On January 27, 1826 he had been sentenced to seven days on the treadmill for being intoxicated in the streets of Sydney.
- On February 16, 1826 he received seven days on the treadmill for intoxication.
- On August 21, 1826 he received seven days treadmill for being absent from Grose Farm one night.
- On January 8, 1827 he received fourteen days treadmill for being absent from Grose Farm for one night.<sup>5</sup>



McDougall must have been a really tough physical specimen to stand so much of the treadmill.

Apparently, McDougall did not stay long at the 44Mile Tree on the Bathurst Road for on February 7, 1828 the Surveyor of Roads, E C Wilford, wrote to the Colonial Secretary:

I have the honour to request that the prisoner named in the margin – John McDougall per *Agamemnon* – and whom I have sent into Hyde Park Barracks may be forwarded to Mr. P Campbell, Asst. Surveyor at Wallis Plains for the purpose of taking charge of No 28 Iron Gang, the present overseer (a free man) wishing to give up the situation.<sup>6</sup>

This letter resulted in the Colonial Secretary, Alexander McLeay, writing to F A Hely, the Principal Superintendent of Convicts, that:

At the request of the Surveyor of Roads and Bridges, I am directed by His Excellency the governor to decide [sic] that the Prisoner named in the margin – John McDougall per *Agamemnon* – and lately sent to Hyde Park Barracks may be forwarded with the necessary instructions to the Superintendent at Newcastle for the purpose of being placed under the orders of Mr. Campbell, Assistant Surveyor of Roads, as overseer of No 28 Iron Gang.

And so in the 1828 Census, John McDougall, per *Agamemnon*, of the No28 Road Party is listed but his situation was starting to improve. On February 28, 1829 he received his Ticket of Leave Number 29/482.<sup>7</sup> From January 1, 1829, McDougall as Principal Overseer had his payment increased from ten pence to one shilling and three pence.<sup>8</sup>

The next important happening that occurred in McDougall's life was his marriage to Euphemia Clarke, a free girl who had come to Australia with her convict mother, Euphemia Burnett in the *Maria* on September 17, 1818.<sup>9</sup> Euphemia Clarke was the step-daughter of Pat Doolan,<sup>10</sup> of the *Rising Sun Inn*, on the Great North Road in "the Wollombi".<sup>11</sup> The entire district from Ellalong to Payne's Crossing was referred to as being 'the Wollombi'.

So John McDougall and Euphemia Clarke both of the Wollombi travelled down to Newcastle for their marriage on the ninth of November 1829 by the Rev F Wilkinson at Christ Church witnessed by Elizabeth and Thomas Mayo both of Newcastle. Only John McDougall signed his name. Christ Church was roughly on the site of the present Christ Church Cathedral.<sup>12</sup> Patrick Campbell, Assistant Surveyor of Roads had forwarded to the Rev Wilkinson a reference to McDougall's character, which said:

John McDougall per ship *Agamemnon* has been under my superintendence for the last eighteen months as overseer of No. 7 Iron Gang and during that time he has



conducted himself with the greatest propriety. I also knew him as overseer on the mountain road to Bathurst and always heard by him of as a good character.<sup>13</sup>

The Weekly Reports of No. 7 Iron Gang for November and December 1829<sup>14</sup> either side of John McDougall's marriage showed the overseer was John McDougall. They also showed the gang was stationed on the Wollombi Road the report showed the men in and out of the gang, reassignments, to hospital, runaways etc. The reports also showed how much work was done.

In a weekly report of road parties and iron gangs sent to the Surveyor of Roads and Bridges on January 2, 1830<sup>15</sup>, Assistant Surveyor Campbell said that John McDougall at Wollombi had 48 men in irons with 8 men out of irons. The iron gang men were put to the hardest work possible, such as cutting through rock or erecting stone walls.

On October 13, 1830 Assistant Surveyor Finch<sup>16</sup>, wrote to Mitchell that McDougall, his most intelligent overseer, did not want to transfer with No. 7 Iron Gang to Wiseman's as he had relatives in the Wollombi area and did not wish to leave. He suggested that Patrick Casey, overseer of No. 42 Road Party be sent instead of McDougall.

Assistant Surveyor, LV Dulhunty wrote to the Surveyor General on January 5, 1833. He said that Mitchell had informed him that the road from young Wiseman's to Dulhunty's station being opened, the completion of the Wollombi bridge is to be completed before he – Dulhunty – could be moved to any other point. He sated that he would require a pair of sawyers, two carpenters and a stonemason, with a timber carriage and seven bullocks to complete the bridge. Furthermore, he suggested that twenty men from the road parties at present there with the mechanics required to be formed into a bridge party under the direction of John McDougall, overseer of the No 13 Road Party to proceed to the bridge.<sup>17</sup>

On March 1, 1833 Dulhunty again wrote to Mitchell. He said:

I have the honour to request that I be allowed to recall Overseer McDougall from Newcastle for the purpose of again taking charge of No 13 Road Party, the gang having been without a principal overseer since the removal of McDougall to Newcastle and from the nature of the work at which the men in irons are at present employed being such as not to require the directions of a very intelligent overseer, I would beg to suggest the proposal of replacing McDougall by an assistant overseer on salary.<sup>18</sup>



Dulhunty continued to plead for McDougall as an overseer of a Bridge Party. He wrote again to the Surveyor General on April 5, 1833 saying:

As the Road Party at Jerry's Plains will be ready to move in about ten days to the Wollombi Brook to commence upon the Bridges ordered in your letter of the 18<sup>th</sup> February – I have therefore the honour to request if it meets with your sanctions, that instead of Byrnes continuing in charge of the party, McDougall may be placed in charge of it as a Bridge Party and Byrnes removed to No. 13 Road Party. My reasons for wishing this exchange are from my duties obliging me to be more from my station than formerly and from the opinion that I have been enabled to form of the two men. I consider McDougall the more calculated of the two to take charge of this description of work.

I have further the honour to suggest that as the overseer will be required to take charge of the detached party of the Iron Gang for the purpose of opening the road from the Green Hills to Maitland, perhaps you may be disposed to place Byrnes in charge of these men and send me a more intelligent man as my overseer for the Bridge Party to be stationed at Wollombi.<sup>19</sup>

The next occasion on which Dulhunty wrote to Mitchell was to enclose the resignation of McDougall as overseer on September 3, 1834 from the position on No 13 Road Party.<sup>20</sup> Dulhunty knew of no reason for McDougall's resignation nor why it should not be accepted.

Thomas Mitchell wrote a note on the back of the letter written by Dulhunty on April 5, 1833 stating:

I regret I do not entertain so high an opinion of McDougall as he seems to do and that judging of him and Byrne [sic] by their progress in works done last season – I am disposed to consider the latter the best qualified to have charge of a Bridge Party – that the proper construction of the road to Green Hills requires an overseer of experience and I request him to state therefore whether he considers McDougall [sic] sufficiently well qualified for that charge.<sup>21</sup>

The next piece of information regarding John McDougall comes from a Schedule of All Appointments to Public Office etc. for the quarter ended June 30, 1835. John McDougall was appointed as a Constable at Maitland on a salary of 2/3 per day [2 shillings & 3 pence] This addition to the Constabulary of the Maitland District was made upon the application of the Police Magistrate.



John McDougall had received his Ticket of Leave<sup>22</sup> on July 16, 1829 and he made application to be considered for a Conditional Pardon<sup>23</sup>, which was granted and published in the *Government Gazette* on May 19, 1836. But it was not until August 31, 1837 that Governor Richard Bourke signed the documents. McDougall's Conditional Pardon<sup>24</sup> is listed among five Absolute Pardons and twelve Conditional Pardons.

Always keen to earn a little extra, McDougall was appointed Pound Keeper at Wollombi in the place of Patrick Doolan (husband of McDougall's mother-in-law), who had resigned. On June 27, 1838 McDougall received a license<sup>25</sup> for the *Rising Sun Inn* at the Wollombi at a cost of £25 (twenty five pounds). One of the Magistrates was W C Wentworth and the license was granted at Maitland. Another "iron" that McDougall "kept in the fire" was his appointment as Deputy Post Master at Wollombi.<sup>26</sup>

*The Australian* of December 26, 1840 describes a raid on the homestead of Thomas Crawford at Congewai by the Jew Boy Gang. After leaving there the gang went to Pendergrass' Public House at Millfield, formerly the *Rising Sun Inn* owned by McDougall. After robbing McDougall they recognised him and inflicted about a dozen lashes with a bullock whip, saying that he had been very fond of flogging while overseer of an Iron Gang.

Whilst John McDougall had purchased the *Rising Sun Inn*, it was claimed in the name of his son, William McDougall – a lad of eight years. Pat Doolan had been granted the sixty acres on the Great North Road at Millfield in two separate grants: the first of ten acres and the second of fifty acres. However, the deeds had never been made out to Doolan, who died on November 15, 1836, so McDougall applied for the deeds at the Court of Claims and the deeds were made out to him as claimant.<sup>27</sup>

The *Sydney Herald Supplement* of August 4, 1841 discusses the *Sir George Gipps* inn kept by McDougall:

... unquestionably the best appointed country inn I have seen in the colony; the accommodations are excellent and the extent and convenience of the premises permit of carrying on a lucrative and first rate trade; civility appears to be the mainspring of the establishment and McDougall's well known public services no doubt ensure him a constant succession of respectable visitors.<sup>28</sup>

So far McDougall had enjoyed a remarkable run of luck and the sun was shining on his investments. In an 1834 map of Wollombi<sup>29</sup>, the village is shown with all the blocks of land measured and the owners' names attached. Of the 57 allotments, 34 bear the name of John McDougall. But a dark cloud was doomed to appear.



The *Hunter River Gazette* of Saturday June 11, 1842<sup>30</sup> carried the bad news:

**SHERIFF'S SALES** In the Supreme Court – Potts and Another v. McDougall On Tuesday, the 21<sup>st</sup> day of June instant, at noon at the Union Hotel, East Maitland, the sheriff will cause

to be sold, defendant's right, title and interest in and to – About 3 acres of building land in the township of Wolombi [sic], on which are erected a public house and two cottages; also Six working bullocks and a dray, and A few head of mixed cattle; Unless these executions be previously satisfied.

East Maitland, June 11, 1842.

JOHN KINGSMILL Bailiff

Perhaps Potts and the other to whom McDougall was in debt were themselves facing financial ruin and were being forced to foreclose on McDougall since there was a general depression at the time.<sup>31</sup> Even Richard Wiseman had been declared bankrupt.<sup>32</sup> However, since no record of the McDougall court case exists, perhaps he was able to come to terms with his financiers since he was still permitted to deal in land. John McDougall was a businessman of the first class, especially as his early training was as a weaver in Scotland. The land he purchased appears as Appendix 2 at the end of this article.<sup>33</sup>

On March 7, 1845 McDougall entered an agreement with John Smith of Newcastle to purchase *Rose Hill Farm* at Millfield for the sum of £260. *Rose Hill Farm* contained 320 acres and it was agreed that:

John Smith was to have the use of the granary and barn until the first day of July and shall be at liberty to reap the crop of corn growing at the farm without paying any recompense for the same, the said crop being considered the property of John Smith.<sup>34</sup>

On July 11, 1845 McDougall approached John Portus<sup>35</sup>, a miller of Morpeth for the loan of £100 and assigned to him the crops of wheat and corn growing upon *Rose Hill* and the *Rising Sun Farms*, which McDougall occupied. Two drays of working bullocks with yokes, bows etc complete were also assigned to Portus. Payment was to be made in £25 sums on October 18 and the residue on January 18, along with interest.<sup>36</sup>



In the Wollombi Letter Book <sup>37</sup> of June 11, 1844 it is shown that one Thomas Houlding per *Claudine* 1829, requested a Ticket of Leave Passport for twelve months to pass to and from Maitland in the service of John McDougall. This Passport was awarded on June 28, 1844.<sup>38</sup> A renewal of the Ticket of Leave Passport was made on April 16, 1845 for the same conditions.<sup>39</sup>

John and Euphemia McDougall's first child was born on April 23, 1831 and was christened William by the Church of England Rev Richard Hill on May 19, 1831. The abode of the parents is given in the Baptismal Register of Maitland (presently East Maitland) as being "Wollombi" and the quality or profession of the father as "overseer of a Government road party".<sup>40</sup> Possibly the Rev Hill was passing through Wollombi to his grant of land<sup>41</sup> at present day Milbrodale on the Putty Road. January 14, 1846 saw McDougall have two sons baptised at Wollombi in the Catholic faith by Father John Lynch.<sup>42</sup> William, 15 years, and Richard, 12 years received baptism even though William had previously been christened by Rev Richard Hill. Perhaps McDougall was pandering to the local Catholics in order to improve the takings at his *Governor Gipps Inn* or perhaps he was having a shilling each way!

The 1841 Census<sup>43</sup> states that there were ten males and three females living at McDougall's, which was a furnished wooden house. Two males were under two years of age, seven were between 21 and 42 years and one was between 45 and 60 years. The three females were between 21 and 45 years of age. Two males were married and eight were single. Two females were married and one was single. Among the males, two were born in the colony, three arrived free, four were free and another was in private assignment. The three females had all arrived free. Five people were of the Church of England faith and eight were Roman Catholic. The occupations were one landed proprietor, two mechanics or artificers, one in domestic service and nine others not included in the foregoing classes.

The *Maitland Mercury* of April 15, 1843 reported on a pre-election meeting held at the *Governor Gipps* hotel at which John McDougall was in attendance:

The following committee of electors of the Town and District of Wollombi assembled on Saturday last, the 8<sup>th</sup> instant at the *Governor Gipps Hotel* for the purpose of securing the Election of Mr Foster.

Thomas Wiseman Esq, J.W. Du Mullin Esq, David H. Dunlop Esq, Michael Byrne



Esq, David Milsom Esq, G.T. Palmer Esq, John Martin Davis Esq, William Du Mullin Esq, G.O. Weston Esq, Henry William Ryves Esq, Messrs. John McDougall, Charles Mitchell, William Sweetman, George Elliott, John White, James Bridge, William Barclay, M. Moore, Edward Payne, William Bridge, John Howell, John Bridge, David Davis, William Secomb, William Moore, George Bridge, W. McDonald, M. Regan, Henry Nichols, James Smith, E. Doyle, P. O’Hearne, Daniel Baker, John Lynch, John J. Baker

The idea in the newspaper article was to name the local landholders, the professional men and large landholders being listed as ‘Esquire’. The inclusion of McDougall, as owner of the *Governor Gipps Inn*, shows he was accepted by the locals as a significant man in the district. Another way in which McDougall provided ‘fruit for the sideboard’ is given in the *Maitland Mercury* of August 14, 1844.

To Stand This Season at the *Rising Sun Inn*, Wollombi Road, at Mr Redford’s at the Bulga and at Watagan Creek, the well known draught horse RAINBOW.

Rainbow is by an imported Clydesdale horse out of a Camerton mare. He is a remarkably powerful, well-knit horse and is well known in the neighbourhood of Maitland for his strength and lasting qualities as a draught horse. He stands sixteen hands high and is of an iron grey colour.

TERMS: £1 each mare. Payment to be made on or before the 1<sup>st</sup> January 1845. Colonial produce will be taken in payment. Secure paddocks for mares. Every care will be taken but no responsibility incurred.

J. McDOUGALL. *Governor Gipps Inn*. Wollombi. August 20, 1844.

Apart from making a quid for himself, McDougall was providing a service for farmers so that they could improve the quality of the farm horses they bred.

McDougall made other contributions to community life. The *Maitland Mercury* of December 28, 1844 says:

The monotony of our township life has been agreeably enlivened by the holiday sports which came off yesterday. An unusually large assemblage gathered early, and the *Sir George Gipps* and its immediate vicinity presented a scene of festivity into which, in spite of adverse times, the people seemed to enter with spirit. Mine host of the *Sir George Gipps* had, with his usual liberality in catering for the public amusement, engaged the service of a musician and a jester in his proper costume, who by his drollery drew forth many a hearty peal of laughter from his many



auditors. The manly games of cricket and footracing occupied the forenoon, the afternoon being devoted to horse racing, when some excellent matches came off.

The last match between McDougall's George that weekly runs in the mail and a crack gelding of local fame, was a splendid affair, the distance being one mile and a quarter, which was passed over in true Epsom style; the mail horse took the lead, which he kept throughout, showing powers of speed that surprised some of the knowing ones.

Altogether it was pleasing to observe the decorum which prevailed amidst the rivalry of the competitors in these time honoured pastimes and we shall conclude our short report by expressing a hope that at the expiration of the ensuing year we shall have the pleasure of again recording a similar "festival" concluded in the same orderly and pleasing manner.

But in spite of all the things said about McDougall, he showed a different side to his nature in a letter written by David Dunlop, Police Officer of Wollombi:

Police Office Wollombi  
30<sup>th</sup> July 1844

Sir, I have the honour of transmitting an account for a coffin supplied for a pauper by Mr. McDougall. Amount: £1.5.0 (one pound, five shillings).

I may be permitted to observe that here there are not means of getting articles made by tradesmen at the same reduced rate as elsewhere from the want of competition. On the contrary there is difficulty in getting many articles supplied when required and even the coffin there was only one person at the time to make it.

I have the honor etc.  
David Dunlop P.M.

A second letter by Dunlop on November 15, 1844 drew attention to the fact that an account for a coffin amounting to £1.5.0 (one pound five shillings) supplied by Mr. McDougall had not been paid. McDougall believed this amount should have been repaid to him.

The next step upward for McDougall was the award of an Exceptive Absolute Pardon. A recommendation was made by Governor Sir George Gipps to the Secretary of State and his recommendation was endorsed by E D Day (the Police Magistrate at Maitland), R A Wiseman, M Doyle, B Rupell and David Dunlop, Police Magistrate at Wollombi. An



Exceptive Absolute Pardon was a good thing to have but “such pardon, by the terms hereof shall be declared invalid and of no effect within the limits of the United Kingdom of Great Britain and Ireland”.<sup>44</sup> So John McDougall could never go home to Scotland.

A map of all the allotments in Wollombi in 1849 shows a street running east/west alongside the Anglican Church of St John. It is named McDougall Street until it reaches the brook, when it becomes Yango Road. McDougall Street was so named until 1868 when it was renamed Negro Street.<sup>45</sup>

The Catholic church of St. Michael is a beautiful stone building that originally stood on the banks of the Wollombi Brook “... on the northern side of Maitland Street near Cunneen’s Bridge”<sup>46</sup> but was inundated by the creek and was later re-erected in its present position. The original church property was owned by McDougall but it was believed he donated the land to the Catholic Church.<sup>47</sup> The Wollombi correspondent to the *Australasian Chronicle* of January 21, 1840 says, ‘A subscription was entered into and men set to work to erect a church on a piece of land, the gift of an inhabitant’.<sup>48</sup> More recent authors, too, believed in McDougall’s largesse ‘... on the 30<sup>th</sup> September 1840, the feast of St. Michael ... Bishop Polding laid on a plot of land given for that purpose by Mr McDougall, the foundation stone of St. Michael’s Church’.<sup>49</sup> Nevertheless, McDougall did not donate the land to the Catholic Church - he sold it. The Registry of Land Titles records the sale of the land by John McDougall, called “the vendor”, on July 16, 1841. The land was sold for £5 (five pounds) and McDougall said the church was to be called St. Michael’s.<sup>50</sup>

John McDougall died at Rose Hill Farm at Millfield on November 21, 1870. The doctor, John Milne, certified the cause of death as being “dropsy of the stomach”, for which he had been treated for two months. He had been in Australia for fifty years and had four sons and four daughters living, whilst one male and two females were deceased. A daughter, Ellen, was the informant.<sup>51</sup> McDougall was interred at the Catholic Church of St. Michael with a service read by Denis Kenny. Witnesses to the burial on November 23, 1870 were Richard Jurd and James Caban. Samuel Hewens was the undertaker.<sup>52</sup> Whether there was originally a headstone is now unknown; if there had been it would now be beneath several feet of silt deposited by the flood which caused the church to be transferred from that site. No copy of the Will of McDougall’s estate exists.<sup>53</sup>

John McDougall’s wife, Euphemia, survived him by ten months and died at *Rose Hill Farm* Millfield on September 6, 1871. She had been 54 years in Australia and her daughter Ellen of Millfield was the informant. The cause of death was cited as ‘dropsy of the skin’ but no medical attendant testified to the cause.<sup>54</sup> She was interred in the St. Michael’s Catholic cemetery at Wollombi on November 8, 1871 and, as with John



McDougall, a service was read by Denis Kenny. Two well-known Wollombi inhabitants were witnesses to the burial, John Clarke and James Howell. Jacob Lumby was the undertaker.<sup>55</sup>

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<sup>1</sup> State Records, A2131, p.129

<sup>2</sup> State Records, A1267, p.55

<sup>3</sup> State Records, Reel SR 6016, p.78

<sup>4</sup> 1822 Muster

<sup>5</sup> Mentioned by Principal Superintendent of Convicts in State Records Reel SR716 when McDougall applied to be married at Newcastle. All his previous 'crimes' were listed.

<sup>6</sup> State Records, Letter 28/1212, Box 4/1966

<sup>7</sup> State Records, Reel SR 912

<sup>8</sup> State Records, Reel SR 3002, p.269

<sup>9</sup> State Records, Reel SR COD 144, p.112

<sup>10</sup> State Records, Reel SR 395

<sup>11</sup> *Sydney Gazette*, May 4, 1827, p.1

<sup>12</sup> Held at Christ Church Cathedral, Newcastle. The spire that had previously adorned the church had been removed before McDougall's wedding day for safety reasons.

<sup>13</sup> Note to Application to Marry – reference by Assistant Surveyor, Patrick Campbell in State Records Reel SR 716.

<sup>14</sup> State Records, Box 9/2689

<sup>15</sup> State Records, Reel SR 590, p.18

<sup>16</sup> Finch sold his property of Laguna to Richard Wiseman. He was later gored to death by a bull.

<sup>17</sup> State Records Reel SR 3063

<sup>18</sup> State Records Box 2//1532 Dulhunty to Mitchell

<sup>19</sup> State Records Reel SR 3063

<sup>20</sup> State Records Reel SR 3063. No copy of McDougall's resignation letter currently exists. It was mentioned by Assistant Surveyor L V Dulhunty that he had received it from McDougall and forwarded it on to T L Mitchell, Surveyor General.

<sup>21</sup> State Records Reel SR 3063

<sup>22</sup> State Records, Ticket of Leave No. 29/482

<sup>23</sup> State Records, Reel SR 776, Conditional Pardon No. 37/629

<sup>24</sup> State Records, ML 1274 p.507.

<sup>25</sup> State Records, Reel SR5054, License Numbered 38/39



- <sup>26</sup> State Records, Reel SR 2799; Bailliere's NSW Official Post Office Directory, 1867 edition. John McDougall, farmer is listed among the inhabitants of Millfield, County Northumberland, a postal village in the Electoral and Police Districts of Wollombi 116 miles north of Sydney.
- <sup>27</sup> State Records Reel SR 1213, Court of Claims Case C432, June 22, 1839.
- <sup>28</sup> *Sydney Herald Supplement*, August 4, 1841
- <sup>29</sup> George Boyle White, Map of Wollombi, May 7, 1834 Numbered W701p
- <sup>30</sup> *Hunter River Gazette*, June 11, 1842
- <sup>31</sup> No records of the court case exists at the Archives Office, Sydney.
- <sup>32</sup> Richard Wiseman had to sell his property, Laguna, which included Laguna House. A big depression sent a number of wealth men bankrupt.
- <sup>33</sup> Deeds of sale, privately held by K.C Marheine, Buchanan NSW
- <sup>34</sup> Copy of an agreement, previously held by the late James Crawford, then owner of Rose Hill, now held by K C Marheine, Buchanan.
- <sup>35</sup> Foremost miller of the area – besides being wealthy
- <sup>36</sup> Mentioned in 'the bill of sale of *Rosehill*', now privately held by K C Marheine, Buchanan.
- <sup>37</sup> State Records, Wollombi Letter Book No. 4/5698 June 11, 1844
- <sup>38</sup> Reel SR 792, Ticket of Leave Passport No. 44/476
- <sup>39</sup> Ticket of Leave Passport No. 45/330
- <sup>40</sup> Baptismal Certificate, Maitland, by Rev R Hill mentions father was overseer of a Government Road Party.
- <sup>41</sup> Today known as Parsons Creek on the Putty Road
- <sup>42</sup> Roman Catholic Baptisms performed in the Parish of West Maitland –January 1 to January 31, 1846, Parish Office, Maitland.
- <sup>43</sup> 1841 Census
- <sup>44</sup> State Records, Reel SR 801, Exeptive Absolute Pardon No. 45/16
- <sup>45</sup> Cessnock City Council was approached in 2001 in regard to the establishment of the 'Convict Trail'. The Council agreed to change the name of Negro Street to McDougall Street as it is more appropriate. Since that decision was reached, to date (June 2002) no new street sign has appeared.
- <sup>46</sup> W A Bloomfield, *Cessnock 1826-1954*, Eagle Office, Cessnock, P.93; Cunneen's Bridge is approximately 200 yards north of the Anglican Church at Wollombi
- <sup>47</sup> *ibid.*
- <sup>48</sup> *Australasian Chronicle*, January 21, 1840, cited in *ibid*, p.93
- <sup>49</sup> Parkes, *S Mines, Vines and People*, Greater Cessock Council, Eagle Office, Cessnock, Reprint 1979, p.40
- <sup>50</sup> Registry of Land Titles, Macquarie St, Sydney. Book 8, p.35.
- <sup>51</sup> Death Certificate of John McDougall



52 *ibid*

53 The Supreme Court of NSW letter dated 26/06/1996 indicates that 'A search of the indices from 1860 to 1910 ... found no record of a grant in the[McDougall] estate'.

54 Death Extract 71-06233 states 'Medical attendant – none'

55 Death Certificate – Euphemia McDougall

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#### Appendix 1

Mustered on Sunday clean and orderly. From Newcastle James Peters. From hospital John Flynn and John Butler.

16<sup>th</sup> Absconded Thomas Kelly

18<sup>th</sup> To hospital Patrick Hogan

19<sup>th</sup> To Mr. Winder James Johnstone ( settler at Windemere via Lochinvar)

To Mr. Duguid Henry Price (settler at Lochinvar

To Mr Dunn James Carline (settler at Dunn's Ck via Woodville

Received George Field and Richard Hawkins

20<sup>th</sup> From Newcastle John Scully, James Dunn & Owen Duffy

21<sup>st</sup> From Mr Earl Peter Chewith

In charge 64 blankets

Signed *John McDougall* overseer

*Patrick Campbell* Asst Surveyor or Roads

The Weekly Report from December 13 to 19, 1829, inclusively, shows:

1 overseer, 3 assistant overseers, 1 hutkeeper, 2 messengers, 2 at hospital, 1 watchman, 48 at work.

There were 28 stumping & burning off, 8 cutting hill, 4 forming road, 2 water carriers and 6 making stone bridges. 2 bridges completed, 48 rod of road completed, 64 cart loads of gravel [illegible] on road, 480 rod stumped & burnt off.

Mustered on Sunday clean and orderly.

16<sup>th</sup> Absconded William Kingdom and Thomas Evans a new arrival from No. 8 Iron Gang on his way to his gang

17<sup>th</sup> To Mr. Eckford Thomas Atkins, To Bridge Party John Mayo

To hospital Isaac Johnstone

18<sup>th</sup> Rec'd William Anatrothem and John Anderson. Rec'd John Hearn and 2 runaways from No.8 Iron Gang.



From hospital Jms. Flynn  
 19<sup>th</sup> From hospital Isaac Johnstoane  
 In charge 64 blankets.

*John McDougall* overseer

## Appendix 2 Landholdings

1	December 14, 1837	2 roods at Wollombi Lot 42 2 roods at Wollombi Lot 43 2 roods at Wollombi Lot 45
2	May 30, 1838	50 acres on Wollombi Brook near Milson's 100 acres at upset price of 5/-
3	August 31, 1838	50 acres near Baker's – Parish of Ellalong 50 acres near the creek 50 acres near the creek
4	September 24, 1838	Lots 7, 8 & 10 town allotments at Wollombi – 2 roods each
5	October 17, 1838	2 portions of 50 acres each at upset price of 6/6
6	September 18, 1839	Half acre town allotment - upset price £3 per acre Half acre town allotment - upset price £3 per acre Half acre town allotment - upset price £3 per acre Half acre town allotment - upset price £3 per acre Half acre town allotment - upset price £3 per acre Half acre town allotment - upset price £3 per acre Half acre town allotment - upset price £3 per acre Half acre town allotment - upset price £3 per acre
7	January 9, 1840	Town allotments Lots 26, 28, 29, 30, 33, 34, 35 & 36

