

## MURDOCK, Hugh

Variations :

Alias :

| Ship     | Date arrived (Sydney) |
|----------|-----------------------|
| Hooghley | 23 April 1825         |

## Shipping indent(s)

| Fiche | Page | Reel | Shelf   | Type  |
|-------|------|------|---------|-------|
| 655   | 167  |      | 4/4009A | Bound |
|       |      | 2749 | X32     | Irish |

| Trial (place, date)                   | Prev conv | Offence      | Sentence |
|---------------------------------------|-----------|--------------|----------|
| Tyrone                                |           | Cow stealing | 7 years  |
| Notes: Source = bound & Irish indents |           |              |          |

| Age   | Marr/S | Child'n | Relig | Educ | Native place | Country |
|---|--------|---------|-------|------|--------------|---------|
| 32  |        |         | Prot  |      | Co. Tyrone   | Ireland |
| Notes: Source = bound indent. Religion source = 1828 Census NSW |        |         |       |      |              |         |

| Trade or calling                                | Height   | Complexion     | Hair  | Eyes |
|---|----------|----------------|-------|------|
| Shears & thrashers                              | 5' 4 3/4 | Brown p'pitted | Brown | grey |
| Tattoos:  |          |                |       |      |
| Other features:                                 |          |                |       |      |
| Notes: Source = bound indent                    |          |                |       |      |
| Other arrival info (eg ships musters & papers): |          |                |       |      |

## Assignment

|                                      |                            |
|--------------------------------------|----------------------------|
| On arrival to McKitson as per indent |                            |
| At Total: 1828-30                    | Total occupation: labourer |

## Freedom (year, details)

|               |  |
|---------------|--|
| <b>T.O.L.</b> | 30/248, 4/4074 [reel 913] withdrawn before delivery, see below |
| <b>C.O.F.</b> | 31/0836, 16 August 1831, 4/4307 [reel 987]                     |

## Colonial crime &amp; secondary punishment

| Date                       | Offence                  | In service of  | Punishment                |
|----------------------------|--------------------------|----------------|---------------------------|
| 1830 June                  | Disrespect to his Master | James P Webber | 50 lashes & TOL withdrawn |
| Sources: see Col Sec below |                          |                |                           |

## Colonial Secretary's correspondence

|   |
|---|
| <b>3 June 1830</b> (CSIL 30/4607 in 4/2076) from James Webber – full transcript attached  |
| <b>4 June 1830</b> (CSIL 30/4406 in 4/2076) from P Aubin, in reply – full transcript attached   |
| <b>25 June 1830</b> (CSLS 4/3828 pp446-448, reel 2808) to P Aubin – similar to following two.   |
| <b>25 June 1830</b> (CSLS 4/3828 pp448-449, reel 2808) to JP Webber – full transcript attached.   |
| <b>25 June 1830</b> (CSLS 4/3667 p63, reel 1043) to FA Hely, Princ Superintendent of Convicts.<br>... "I am directed by HE to inform you that as Captain Aubins Report corroborates the representation of Mr Webber, and that as the offence and punishment rendered equally intelligible as though it occurred previous to any recommendation having been given in his favour: The Ticket of Leave is to be withdrawn from Murdock, and he is to be returned to Hyde Park barracks to be employed in some of the public Establishments for a time when his case can be again brought forward"... |
| <b>23 July 1830</b> (CSIL 30/5625 in 4/2076) from Hely to Col Sec. Murdock's TOL has been made out but not delivered to him because he was punished between his TOL being approved and it being ready for delivery. The Supt of Police at Maitland recommends "that as the punishment in question was for a venial offence and the first since he has been in the Colony Murdock may be allowed his Ticket". Notation on the memo by Col Sec: "The Gov has  |

|  |
|--|
| already ordered the Ticket be cancelled, and there is no new light shown on the matter”. |
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## NSW Census/musters

|         |  |
|---------|--|
| 1823-25 | (not found)  |
| 1828    | Age 37, Protestant, labourer, with JP Webber, Markham [Tocal] Patersons Plains |

## Colonial marriage

| Date | Place | To whom | BDM index reference |
|------|-------|---------|---------------------|
|      |       |         |                     |

|                      |
|----------------------|
| Permission to marry: |
|----------------------|

## Death

| Date | Place | Age | BDM index reference |
|------|-------|-----|---------------------|
|      |       |     |                     |

## Timeline

| Date     | Event   |
|----------|---|
| 1825 Apr | Arrived Sydney and assigned to McKitson   |
| 1828 Nov | A labourer assigned to James Webber at Markham [Tocal]  |
| 1830 Jun | TOL approved but withdrawn before delivery following an incident at Tocal, and Murdock reassigned in Sydney |
| 1831 Aug | COF   |

## Other (source, details)

|  |
|--|
| NSWGG 26 Oct 1836 p831. Unclaimed letter at GPO Sydney for Hugh Murdock. |
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## Keywords

|        |
|--------|
| Lashes |
|--------|

**General information**

Research on Tocal's convicts was undertaken by Brian Walsh. Please do not email or upload this document without acknowledgement.

For further information see the book *Voices from Tocal –Convict Life on a Rural Estate* by Brian Walsh, available from [www.tocal.com](http://www.tocal.com)

For contact details see [www.tocal.com](http://www.tocal.com)

(CSIL 30/4607 in 4/2076)  
Patersons Plains Hunters River  
June 3<sup>rd</sup> 1830

Sir

I have the honor to request that you will lay before His Excellency the Governor the following narrative of an occurrence which seriously affects my Interest as an employer of Convict Servants & is calculated to have the worst effect upon the general Police of this District.

In the month of October last my assigned Servant Hugh Murdock, Hoogley applied to me for a recommendation in order to obtain a Ticket of Leave. I refused to give it, on account of his general bad character, although he had not been punished by a Bench of Magistrates, I had good reasons for the opinion I had formed, which it is unnecessary here to detail.

This man waited upon Capt Aubin and obtained a recommendation for a Ticket of Leave, without (as far as I can learn) any inquiry into his character, and certainly, without that reference to me which the absence of a recommendation on my part, ought to have invited.

On the 23 November last being in the midst of my harvest some men from a road Party refused to work without an addition to the Indulgence which they received, they were joined by some of my men, including Hugh Murdock, who had just before been recommended by Capt Aubin for a Ticket of Leave, & who (from the violence which he displayed) was selected as a ringleader by Capt Aubin, & punished with 50 lashes.

I of course presumed that this conduct had prevented him from receiving a Ticket of Leave, but in the Sydney Gazette of the 27<sup>th</sup> ult. I observe his Name in the List of those to whom this indulgence has been granted.

I therefore think it right to bring this violation of the Ticket of Leave regulations under his Excellencys Notice, and to exhibit it as a specimen of the loose manner in which these recommendations are not unfrequently conferred in this District.

I have the honor to be

Sir

Your most ob Servant

James P. Webber

To

The Honble

The Colonial Secretary

Aubin's reply (30/4406 in 4/2076) to James Webber's letter is as follows:

Maitland June 4<sup>th</sup> 1830

Sir

I have the honor to transmit herewith copy of a letter from Mr James P. Webber which I received this day enclosing the copy of a letter which he states having addressed to you, also forwarded and which I shall proceed to answer paragraph by paragraph for the information of His Excellency The Governor.

As to the 1<sup>st</sup> Paragraph - I shall merely observe that my answers to the succeeding paragraphs will prove that Mr. Webber's conduct (at least in this instance) towards his Servants is much more likely to effect his interests as an Employer of Convict Servants than the Conduct of the Bench of Magistrates on the occasion which he so bitterly complains of.

As to the 2<sup>nd</sup> P. I am at a loss how Mr W can state that he refused to give his servt Hugh Murdock a recommendation, when you will perceive that the form of application herewith forwarded is filled up by Mr. W himself.

As to the 3<sup>rd</sup> P. Hugh Murdock waited not on Capt Aubin but presented himself to the Bench which on that day consisted of Capt. Allman and myself. He gave us his application in the usual way, and on our observing that the certificate was not filled up, the man observed that his master had told him that he might tell the Bench that he wd. Do" nothing more towards his getting or preventing the getting of his Ticket of Leave." This certainly appeared strange to us seeing that the application was filled in Mr

W's own hand writing. Mr. Clark the Chief Constable was then asked if he knew anything of the matter. He replied he had known Murdock since he had been with Mr W. that he was a very hard working man that he had never known anything bad of him, that he had never been punished and that Mr. W. had given him (Clarke) the same message which Murdock had delivered to the Bench. Capt. Allman and myself then came to the conclusion that Mr. W. had no sufficient reason for preventing the man from receiving his Ticket and therefore recommended his application. I ask if Mr W. had any charge against this man was it not his duty candidly to have stated it to the Bench when he well knew that the man was going to apply?

As to the 4<sup>th</sup> p. it is certainly true that Mr W. bought a number of his men (13/) before me on the 23 Nov. for refusing to work without they recd the usual indulgence allowed in harvest time viz sugar or milk. There being so many men I requested Mr W. to point out such as he considered ring leaders. He pointed out three, I was about passing sentence when unfortunately Murdock asked if he might speak. I told him he might and he went on to deny having refused his work as he well knew Mr. W. to be a hard Master and that he wd. not leave him the opportunity of getting him punished as he wd. Desire nothing better if it was only to prevent his getting his Ticket of Leave or words to that effect, which I considered disrespectful towards his Master for this reason I punished him, but not as being one of the ring leaders as there was no proof to that effect.

As to the 5<sup>th</sup> p. I considered that the man had become entitled to his Ticket of Leave prior to his being punished, and was then as it was for a venial offence. I did not think this a sufficient ground for writing to set aside the recommendation of a full Bench of Magistrates, which is the opinion of every Magistrate to whom I have spoken on the Subject, besides you will see by the application herewith sent and filled up by Mr W. that Murdock has not been upwards of five years with Mr. W. without ever having been once punished at the insistence of his Master.

With respect to the last and concluding paragraph of Mr. W's letter - wherein he makes such a sweeping charge against the Magistrates generally who examine applications for Tickets of Leave - I think it unworthy of comment and no doubt His Excellency will attach to it such importance as it really deserves.

Having done with Mr Webbers letter I beg to transmit the accompanying letter from Dr Brook's which originated in my refusing to punish a Man of Mr W's on a charge of feigning sickness without having direct evidence to that effect - at which Mr. W. did not appear well pleased, and on my remarking that if Mr W.wd swear that the man went to hospital without a cause, I wd. Punish him. This Mr. W. declined - He then wrote to Dr. Brooks who wrote the letter herewith forwarded, had I punished this man without evidence that might have been bad enough! It is such conduct as this and endeavouring to withhold the indulgence a man has entitled himself to be by a long continued period of good conduct and attends to the interests of his Master. That will prove injurious to the interest of employers of Convict Servants and calculated to produce the worst effects, rather than the accommodation of Individuals for such Indulgence as a Bench of Magistrates conscientiously claim they are entitled to -

As a further proof of the inconsistency of some persons when their own personal interests are not immediately concerned I beg to forwd. The letter marked No 4 - which will clearly point out that Mr. W. has not always deemed the signature of a Master to an application for a Ticket of Leave absolutely necessary - but ever this is different from the case in question for I consider that Mr. W's name in the body of the application & in his own hand writing is testimonial to his signature at the bottom since he alleged no cause for withholding it - but poor Murdock is a very hard working man.

I have the Honor to be  
Sir  
Your Most Obedient humble Servt  
P. Aubin JP  
Supt of Police

Col Sec's reply to JP Webber:

No 30/437

Colonial Secretary's Office  
Sydney 25 June 1830

Sir,

Having received and submitted to the Governor your letter of the 3<sup>rd</sup> instant transmitted through Philip Aubin Esqre J.P. relative to your Servant the prisoner named in the margin having been recommended by that office for a Ticket of Leave, notwithstanding your approval had not been previously obtained, and the man had been flogged for disrespectful conduct to you in the interim between Capt Aubins recommendation and the appearance of his name in the public Notice of the 26<sup>th</sup> ultimo.

In reply, I am directed by HE to inform you that the recommendation of a Master is not indispensable to a prisoner in applying for a Ticket of Leave, and that although you refused to give it, yet your having yourself fitted up the "Statement of the Service of Hugh Murdoch" is as reasonably considered tantamount to a recommendation of his claim for that indulgence.

As however the punishment incurred and received by the Man rendered him equally ineligible, as though it had occurred previous to any submission of his application for a Ticket of Leave, the necessary orders have been given for that document to be withdrawn from him, and I am further directed by H.E. to recommend that the prisoner should be returned by you to Government.

Signed A G McLeay

James P Webber esqre  
Paterson's Plains

[SR. NSW Col Sec. Copies of Letters to Benches of Magistrates, Justices of the Peace and Superintendents of Police. 4/3828 pp448-449 [reel 2808]].

research by Brian Walsh