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THE FRANKLIN -- MONTAGU DISPUTE

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THE FRANKLIN - MONTAGU DISPUTE.

A. Primary Authorities consulted.

1. Despatches in the Records Office, Hobart --
Vols. 1.& 11. I.D. and O.D. Very Useful.
2. Newspapers of the Period
 - a. Scurrilous type: Murray's Review.
Van Dieman's Land Chronicle.
The True Colonist.
Colonial Times.
 - b. Borderline: Courier
Hobart Town Advertiser.
 - c. Quite Reputable: Cornwall Chronicle.
Launceston Examiner.
Australasian Record.
 - d. Later Publications: Tasmanian Mail.
Mercury.
The Voice.
3. Narrative of some passages in the History of Van
Dieman's Land during the last three years of Sir John
Franklin's administration of its government. 1845 --
by Sir John Franklin. A rare and valuable pamphlet
issued for private circulation.
4. Almanacks 1828-40.
5. "Foundation of the Royal Society". Piesse 1913.
6. 1833-43 Index to the Government Gazette.
7. Lady Franklin's letters. A bundle of letters in the
Tasmanian Royal Society. (T.R.S.)
8. Historical Records of Australia.
9. Various present day medical opinions on the Coverdale
case.

B. Secondary Authorities.

1. History of Tasmania -- 1852, John West.
2. A History of Tasmania -- 1884. James Fenton.
3. Biographical Memoir of John Montagu 1855 - by
W.A.Newman. Of little value.
4. Paper on Sir John Franklin, read at the Science Congress
1939 -- Mrs Fitzpatrick.
5. Life, Diaries and Correspondence of Lady Jane Franklin
92-75. Willingham F.Rawnsley.
6. Correspondence between the late Colonial Secretary, Mr
Montagu and Mr Henslowe - in the month of January 1842.
Unpublished - Melbourne Library.
7. The Life of Sir John Franklin R.N. - 1896. H.D.Traill.
8. Life of Sir John Franklin - 1891. Capt. A.H.Markham.

THE FRANKLIN -- MONTAGU DISPUTE.

SECTION 1.

Almost a century ago, Lord Stanley, the Secretary of State for the Colonies wrote these words at the close of a despatch -- Despatch 150, written on the 13th September, 1842, to Sir John Franklin, in Van Diemen's Land.

"The result of my consideration of the whole subject is to relieve Mr Montagu from every censure which impugns the integrity or the propriety of his conduct. It cannot be too distinctly understood that Mr Montagu retires from the situation he has so long filled with his personal and public character unimpaired and with his hold on the respect and confidence of her Majesty's Government undiminished. --- I am compelled to add that your proceedings in this case of Mr Montagu do not appear to me to have been well-judged, and that your suspension of him from office is not in my opinion, sufficiently indicated."

His Lordship's Despatch served the double purpose of snubbing Franklin and of justifying Montagu. Now the cycle of time has swung around and history would reverse Lord Stanley's ill-considered judgement.

The dispute between Franklin and Montagu, dramatic, bitter and futile in itself, yet holds up a mirror in which are reflected the lives, the struggles, and the problems of those who lived in an age of transition -- an age in which free settlers were beginning to outnumber convicts, when Van Diemen's Land was about to become Tasmania.

The chief figures in the dispute were Sir John Franklin, the Lieutenant Governor of Van Dieman's Land, his spirited wife, Lady Franklin, Captain John Montagu, Colonial Secretary, and, away in the cloudy pompous atmosphere of Downing Street, Lord Stanley, the Secretary of State for the Colonies.

The appointment of Sir John Franklin, Captain in the Royal Navy, and Knight of the Guelphic Order of Hanover as Lieutenant Governor of Van Dieman's Land, was announced by Sir George Grey in the House of Commons, 13th April, 1836. He sailed in the "Fairlie" on the 27th. With him were Captain Maconochie, Secretary of the Geographical Society, who acted as his private Secretary, and the Rev. William Hutchins, the first Archdeacon of the Colony. Sir John formally assumed the reins of Government 6th January 1837, as fifth Lieutenant -Governor of the island.^{2.}

The colonists were honoured by his appointment for his name was a household one with them. His nautical exploits, his distinguished career, his intrepidity and his meekness had brought him worldwide fame long before his appointment to a problematical convict settlement. X

Franklin was born at Spilsby in Lincolnshire, 16th April, 1786. He was intended for the church; but as he showed an early love of the sea, his father in 1800 obtained for him a midshipman's post on board the "Polyphemus", the ship which led the van in the following year in the battle of Copenhagen. Two months later he was transferred to the "Investigation" which was then setting out under the command of Captain Flinders for the exploration of the Australian coast. So it happened that at Sydney he witnessed the departure of the

first party to colonize the island to which he was to be appointed many years later.³

On his return to England from Australia, he served in the "Bellerophon" as signal midshipman in the Battle of Trafalgar. In 1814 he distinguished himself in other waters in the Battle of New Orleans. Then in 1819 he began a series of explorations in the Arctic Sea in which he was engaged until 1827, when many signal honors were showered upon him. He was created a knight; the University at Oxford conferred on him the distinguished degree of D.C.L.; the French Geographical Society awarded him their gold medal; he was elected a Fellow of the Royal Society. Then he went forth again to engage in the Greek War of Liberation.⁴

It was little wonder that his coming to Van Dieman's Land was hailed with great enthusiasm and with extravagant demonstrations, especially by those who had rejoiced at the departure of his predecessor, Governor Arthur. These were to find to their chagrin later, that Franklin had no sympathy with faction.

The progress of Sir John through the colony surpassed anything ever before witnessed in Van Dieman's Land. Crowds followed him with acclamations, addresses of a most eulogistic and hopeful character were read at him. On his entry into Launceston he was escorted by three hundred horsemen⁵ and seventy carriages. The streets were crowded and the windows hung with banners and crowded with fair spectators.⁵

³ West. p.191.

⁴ Fenton p.144, 5.

⁵ West p.192.

With hearty frankness he assured them that he came without prejudice, determined "to see with his own eyes, hear with his own ears, and judge with his own judgment." ^{6.}

Six and a half years later Franklin was publicly humiliated by Despatch 150 which was circulated in the colony and read at a dinner table in Port Phillip before it reached the Lieutenant-Governor. His successor John Eardley-Wilmot, reached Hobart with his commission in his pocket, four days before Franklin was informed that he was to be recalled. ^{7.}

^{was} Franklin welcomed with bonfires; but when he departed, the "address to Sir John Franklin" was hawked from door to door and left in ~~Public Houses~~ to get enough signatures. Finally a scurrilous Review wrote, "We rejoice to breathe freely under the relief which the change of Government has afforded, of having no longer to occupy weekly a great portion of our space with objections to the proceedings of the existing administration." ^{8.}

Was Franklin then a failure as a Governor? Today few people know of his quarrel with Montagu; but they know that he instituted the Tasmanian Society, that he built the Observatory, that he laid the foundations of a wider education. They have walked out to Lenah Valley and admired the picturesque Lady Franklin Museum even if they have questioned its utility. They know the name Franklin as belonging to one of the most prosperous constituencies, even if they do not remember that the district was first opened up and developed by Lady Franklin. They know that the famous 'Regatta' was inaugurated by him.

⁶ Franklin's Narrative p.6.

⁷ Life of Sir. J.Fr.
H.D.Traill p.315.

⁸ Murray's Review. 1.9.43.

Finally they gaze upon an impressive statue of Franklin in the present Franklin Square built on the site of the old Government House. Present day opinion would probably refer to him vaguely as a very fine Governor. Men of his own day speak and write of him well as a man, but agree that he was an apparent failure as a Governor. West rather unfairly says "that it was the expectation of Sir John Franklin to find Van Dieman's Land an easy retreat."⁹

There is no evidence that this was so, since Franklin had previously refused an appointment in Antigua as not carrying enough responsibility. Then in 1845 at the age of 59, he gladly undertook a long and dangerous voyage of discovery.¹⁰

His biographer Traill asks "How it came that he failed in a task for which the principal, if not the sole and sufficient instrument might have been supposed to be simply skill in the management of men?"¹¹

In fact his whole record shows that Franklin was an adept in this management. Markham says his ship was known to sailors on the Mediterranean station as "Franklin's Paradise".¹²

Mrs Fitzpatrick in a very interesting and admirable paper suggests that this failure was compatible with his reputation as a leader and manager of men. "On his expeditions, the interests of the leader and the followers were identical, the safety of the expedition depended on its fidelity and co-operation. But in Van Dieman's Land, the interests of the Governor and of his chief officials were in radical and violent conflict."¹³

⁹ West. Vol. 1. p.228.

¹⁰ Mrs K.Fitzpatrick.

¹¹ Traill p.234.

¹² Markham p.12.

¹³. Mrs Fitzpatrick R.S. Paper. 1939.

Franklin's appointment was in the spirit of the age of reform. The reform in Parliamentary and Municipal institutions was followed by the abolition of negro slavery, the Factory Acts, the reform of the Penal Code, the beginnings of national education. It was the age of Wakefield and Durham. The Colonial Office was forced to make concessions to this spirit; but it did so without conviction. Governor Arthur realized this when he wrote "Whatever men have the reins of Government in this country, although they may now and then be driven to slacken them at home, I am persuaded decisive conduct abroad is what they expect and wish."^{14.}

The free colonists had made such an outcry against the repellant administration of Arthur, that the Colonial Office chose Franklin as being a man more in agreement with the humanitarian and politically liberal ideas of the Grey-Durham - Buller school of politicians. Highly cultured, humane, yet inured to naval discipline and a proved leader of men, he was exactly suited to his post; but the post was less well suited to him.¹⁵ The Colonial Office still retained Arthur's view of the Free Colonists as troublesome intruders in a colony which he regarded as "an extensive gaol."¹⁶ The ministers of the Crown frequently showed themselves incapable of comprehending colonial interests.¹⁷

Franklin considered himself first and foremost, the Governor of the free colonists. His first speech to the Legislative Council contained no reference to Van Dieman's Land as a penal settlement. To him that fact was a temporary and regrettable necessity.

¹⁴ Arthur to Gregory Nov. 9, 1837.

¹⁵ The Voice 23.1.37.

¹⁶ Hist. Records of Aus. Vol. 5. p.52.

¹⁷ Launceston Examiner
26.8.43.

The difference in the attitude of Arthur and Franklin towards the post of Governor in Van Dieman's Land is well illustrated by their financial dealings. Arthur became a wealthy man during his Governorship and drew from his colonial properties £35,000 per annum after he retired. Both Sir John and Lady Franklin came back to England poorer than when they set out. Franklin refused an increment for himself but advised it for his successor for he found his salary "totally¹⁸ inadequate to the expenditure required." Their liberality to the colonists was exercised on many occasions. One hundred pounds was offered annually to the Regatta Committee to be expended in connection with that event on any object chosen for the development of the colony.¹⁹ Arthur and his permanent officials were all of one mind to rule a convict colony and get as much compensation as possible out of their exile. In the light of this fact, conflict between Franklin, a reforming Governor and the permanent officials, reactionary spirits wedded to the old regime, was inevitable.

The Government of Van Dieman's Land was vested in the Governor, an Executive Council of six permanent officials including the Chief Justice and a Legislative Council of nominated and official members. Professor Melbourne^{19a} says, "Arthur succeeded in working with his Executive Council; but Franklin lacked his strength and failed to impose his will on his subordinates." This comment throws the weight of the imputation of weakness rather unfairly upon Franklin.

¹⁸ Narrative of Sir. J.F. p.77.

¹⁹ Courier 25.11.42 p.2.

^{19a} Fitzpatrick Paper.

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The blame lies with the insubordination of the officials grown arrogant from their well intrenched positions. The most important members of the Legislative Council and of the Executive Council were Captain John Montagu, the Colonial Secretary, and Captain Matthew Forster, the Chief Police Magistrate. Both of these officials were nephews of Arthur by marriage and owed to him their appointments and their grants of land. Montagu also owed Arthur money.

The 'True Colonist' 26th Feb., 1835 accused Captains Montagu and Forster of felonious appropriation of property belonging to the Crown --- though in bare justice to both it must be added that "the rashness of his (the editor of the 'True Colonist') imputations was never surpassed."²⁰ Later the "Colonial Times" published in its 'Court Journal' the following extract. "But Captain Montagu who while in this colony was indubitably the Governor thereof, has also passed away, having sold his very snug and comfortable estate of Stowell."²¹

One method of ensuring the fidelity of his subordinates, that of granting lands, was not open to Franklin. Arthur gave 1,413,200 acres of public land in free grants,²² and assigned unlimited supplies of convict labour. This enabled him to make or mar the fortunes of any individual under his government. "This unbounded patronage" says Franklin, "did not descend to me." Arthur's protracted administration gave him a degree of influence and power unknown to any other governor under the crown. Franklin notes rather pathetically in speaking of Arthur - "It was the

²⁰ West. p.174.

²¹ Col. Times - 8.10.39 p.325.

²² Forsyth p.27.

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wisdom of the Colonial Office in that day so long as a governor was retained in office to support him." ²³

A new Governor necessarily works with the instruments whom he finds about him and who for a time have a great advantage over him from their superior local knowledge and experience. Franklin found the chief places of influence and emolument in Van Dieman's Land filled by relatives and friends of Arthur --- a compact body bound to Arthur by ties of obligation and gratitude. Also, Franklin was a naval officer while Montagu and Forster were military men and Colonel Arthur their military superior. Franklin commented on the fact that he felt himself handicapped by the traditions of twelve years of rule by a military governor. He complained that the officers of the Military Department disconnected themselves from the civil authorities under his orders, thinking themselves amenable only to their government Heads in England. ²⁴

Thus Franklin was faced with the implacable hostility of his officials --- known publicly as "The Arthur Faction". The resentment of this official class at the arrival of a reforming Governor can be understood. They had a vested interest in the status quo and what Calder summed up as "the depravity of heart," ²⁵ was more likely the fear of an insecure future as well. ²⁶

This attitude combined with the situation brought about by the increasing numbers and claims of the free settlers in a convict colony, made the work of administration for one of Franklin's calibre one of peculiar delicacy and difficulty.

²³ Narrative p.7.

²⁴ Despatch N.95 . Sept.6th.1837.

²⁵ Mercury July 5th, 1897.

²⁶ Fitzpatrick paper.

His very virtues, humanity, conscientiousness, frankness, generous feeling disqualified him from coping successfully with the selfish factions and left him exposed to the designs of personal enemies. It was unfortunate too, that almost at the outset, complications concerning the convict discipline arose between Sir John and his old friend Captain Maconochie, his private secretary; so he was left without the one official on whose aid he had hoped to rely in any perplexities in his new sphere.

"He found it much more difficult to steer his course amid the discordant elements of party strife in Van Dieman's Land, than to guide his ship through the Polar ice-fields."²⁷

Like many men before him, Franklin tried to please all parties and satisfied none. He nominated to his Council men of culture and experience who had been definitely depressed by Arthur and expected them to work in harmony with the 'Arthur party' upon which he himself was forced to rely until he had found his feet. By that time, the newspapers with their customary scurrility were censuring him for being the tool of the Arthur faction. Papers that had come into being merely to libel the Arthur administration now spoke of Franklin as "a great old man who suffers by comparison with Sir George Arthur"²⁸

It seems to have been the office of Governor that was to be detested. There were ten newspapers at this time in Van Dieman's Land as contrasted with seven on the mainland and most of them "agin the Government." The best epithets allowed Franklin's administration were "mild" and "patriotic"²⁹. A commentator in the 'Tasmanian Mail' April 1923 says that as an administrator he was considered inefficient and that

²⁷ Fenton p.146, 159.

²⁸ Cornwall Chronicle 12.8.43.

²⁹ Australian Record 25.3.42.

Lord Stanley's despatches frequently depreciate his want of judgment. An examination of letters and despatches reveals the fact that too often the decisions were made by Montagu and his other advisors who sacrificed Franklin to their private animosities .

This was weakness on Franklin's part. "The Government of a harmless man is not necessarily a harmless Government." "Expulsion from office has become a daily medicine and yet no vigour displayed." -- were two criticisms that were harsh, but apparently true. In another article Sir John was blamed for everything by which the colony suffered. But it is necessary to remember that under the general depression that was world wide in 1843³¹, trading losses were inevitable under any Government.

Sir John Franklin would probably have made an excellent Governor of Tasmania today as merely a representative of the Crown. As Governor of Van Dieman's Land it was necessary for him to be a ruler, even an autocrat of decision and force.

³⁰ V.D.L. Chronicle.10.12.41.

³¹ Cornwall Chronicle.5.8.43.

And now the villain of the piece -- the Governor de iure -- Captain John Montagu. He was born of distinguished forbears in 1797 when his father was a soldier in India. On February 10th. 1814, at the age of seventeen he became an ensign in the 52nd regiment. In 1815 he distinguished himself at Waterloo. In 1823 Captain Montagu married Jessy, daughter of Major-General Edward Vaughan Worsley R.A. and proceeded to Van Dieman's Land with Colonel Arthur. On arrival there he was appointed Private Secretary 1824, which office he held until 1827. He possessed all the qualities requisite to a soldier. In 1826 Van Dieman's Land was constituted a separate colony and Montagu became Clerk of the Executive and Legislative Councils. After a visit to England in 1829 he left the army and returned to Van Dieman's Land for the purpose of devoting himself to the offices of the civil administration. In 1832 he was in temporary charge of the Colonial Treasury when he received flattering testimonials on his efficiency. By 1834 he had become Colonial Secretary. Two years later Arthur recorded the following recommendation in a letter to Franklin:

"From the Colonial Secretary you will derive all the assistance which can be expected from an experience in Colonial matters of 13 years' duration, from thorough habits of business and from assiduous application to office duties combined with an integrity of character^{1.} that can be entirely relied upon."

In 1838 Franklin re-echoed these sentiments. "I feel very much indebted to Mr Montagu for his unwearying co-operation and for the very important assistance in the discharge of his duties."^{2.}

^{1.} Newman's Memoir p.15, 16, 17.

In February 1839 Montagu visited England and received a warm recommendation from the Governor and a very complimentary address from the Colonists expressing desire for his speedy return. Either his biographer had made only a very superficial study of Montagu's stay in Van Dieman's Land or was determined to avoid all unpleasant topics for he wrote - "In October 1841 arose unexpectedly one of those casual misunderstandings which grow to such magnitude and vehemence. Whatever their differences, the after career of each was one of public confidence, enterprise and honour. The one has fixed his name to Arctic scenes, the name of the other is graven on Africa's rocks." After this laudable expression Newman admits that "the remote consequences of this misunderstanding influenced the whole of Mr Montagu's after career."

In the light of his career in Van Dieman's Land and later in South Africa, the family motto of the Montagus-- "Disponendo me, non mutando me", is distinctly apt. With one glaring exception no one would quarrel with the sentiments expressed in the quotation from Guizot set at the head of Newman's Memoir. Of course his biographer has ignored "the misunderstanding".

"Qu'on examine sa vie, son âme, ses actes, ses pensées, ses paroles; on n'y trouvera pas .. un seul instant de laisser aller. Il a constamment lutté, lutté jusqu'à la fatigue et la tristesse contre ses exigences. Nul homme n'a été plus profondément imbu de l'esprit de Gouvernement, du respect de l'autorité. Il n'a jamais excédé les droits du pouvoir selon les lois de son pays."

He was a fighter certainly -- he strove, as the quotation suggests, to mould events rather than let them take their course. But that he was profoundly imbued with the mind of Government or a respect for authority is open to question.

Some of Newman's details of Montagu's boyhood are interesting. "It is the acknowledgement of one who watched his boyhood that until he entered the army, he was a restless, high spirited, troublesome, daring boy. Then his restlessness became energy, his daring ripened into eager heroism and a disregard for truthfulness which had for some time rendered his mother extremely anxious on his behalf, gave place to honesty of purpose and a decided straightforwardness of action which were marked features of his character." ⁵ The extract with its amusing reference to John's early moral obliquity is not quoted however with any intent to prove that "the child is father to the man," but it is worth remembering.

All authorities testify to Montagu's remarkable efficiency and competence in the administration of his official duties. Calder says he was affable, courteous and readily accessible, and that his business talents were of the highest order. Franklin recorded that Montagu was thoroughly acquainted with the affairs and resources of the colony, with the interests and private affairs of individuals and with the technical machinery of government.

It is interesting to notice that Montagu had risen through the successive offices of Private Secretary and Chief Clerk of Councils to those

of Treasurer and Colonial Secretary, the last two in consequence of the suspension by Arthur of the officers holding those appointments.⁶ Later Stanley implied that Franklin's suspension of Montagu formed a precedent.

The Arthur Papers in the Mitchell Library reveals⁶ a boundless devotion in Montagu to his own interests. In 1833 his uncle, Arthur, rebuked him for the indecent haste with which he stepped into Burnett's office as Colonial Secretary and for his callous indifference to⁷ the problem of provision for Burnett's family.

He was naturally devoted to Arthur who was in a position to do a great deal for him. He had his moments of grace towards Franklin when all went well for, on his being granted leave to go to England in 1839, he wrote "No man could have been more kind and considerate." By 1843 "the kind Sir John"⁸ had become Lady Franklin's "imbecile husband."

Franklin early found that he was more effectively supported by Montagu in any measure which carried out the views of Arthur than in the efforts he might make to conciliate parties hitherto adverse or obnoxious to the government.

Once when Franklin took a certain course of action disagreeable to Montagu, the latter wrote this highly coloured and fantastic version to Arthur. "He had been so frightened by Gregson, he knew not what he did -- he trembled like a leaf, the perspiration ran down his face in a stream, his mouth was filled with saliva --- almost to prevent him from speaking. He was as pale as death."⁹

⁶ Franklin's Narrative p.8.

^{7,8} Fitzpatrick Paper.

⁹ Arthur Papers Clapperton File. Mar.5.1838.

Soon after this, Montagu sold his own home and prior to his leaving for England, enjoyed the hospitality of Government House. Here he expressed his regret to Franklin at not having before become intimately acquainted with Lady Franklin. He accompanied this observation with other remarks which appeared to prove that the lady had won his entire confidence and esteem -- hoping that she would favour him with her written notes on various topics such as those on prison reform and her correspondence with Mrs Fry.^{10.}

At this time Franklin furnished Montagu with access to the Colonial Office so that he could discuss the latest ideas on convict discipline and emigration, particularly Franklin's own despatches on the subject which Montagu was given permission to read on the boat going over to England. As well Lady Franklin wrote to her sister, -- "Mr Montagu will go home at the end of February. He is a very gentlemanly and extremely clever man of good connection and good fortune. I think he will have much influence at the Colonial Office and may be able to do much good to this colony by his representations."¹¹ She was a good prophet.

During Montagu's absence in England, Franklin felt a want of confidence in his attitude. "I told Montagu," he wrote to Lady Franklin, "that I was disappointed at his not writing more fully to me on different subjects. He replied that he thought he would best meet my wishes by answering these details to Forster whom he knew would tell me."¹² Later he wrote "Montagu assures me that my measures are approved of at the Colonial Office and that I have several personal friends there."^{13.}

10. Franklin's Narrative p.11.

11. Lady F. to Mrs Simpson 3.1.39.

Lady F's. unpublished letters in T.R.S.

¹² Franklin to Lady J.

¹³ " 20.3.41

" 13.4.41

T.R.S.

This was a distinctly misleading statement on Montagu's part. Franklin very mildly says that some clue to Montagu's want of confidence was disclosed when the advice tendered by Montagu to the Secretary of State on the changes in contemplation in the convict system, "appeared in some points to differ¹⁴ considerably from my own."

The matter was put much more frankly and trenchantly by Lady Franklin when she wrote to her sister. By this time she had ironic proof of her previous prophecy regarding Mr Montagu's influence at the Colonial Office. "Mr Montagu went home two years ago and carried with him despatches from Sir John for the Colonial Office which he had permission to read on the way. The despatches advocated an improved and modified system of assignment for the prisoners. When he got home Mr Montagu, actuated I think in a great degree by an ardent desire to recommend himself as an economical financier to Lord John Russell, -- concocted a scheme of his own"---(the concentration of the natives in Tasman's Peninsula) "and dwells upon that point which he knew would have the greatest weight --the saving of expenditure, regardless of the interest of the colony or the colonists. He sent a report of his scheme to Mr Forster who gave it to me to read. I did not scruple to tell him that I thought Mr Montagu had had an eye in it to only one thing - the saving to His Majesty's Treasury and when I wrote to Mr Montagu in June about a great many things, I did not scruple to say almost the same to him. The only official notice Sir John has of the effect of Mr Montagu's scheme may have had at the Colonial Office is contained in a recent despatch in which Sir John is directed to send the prisoners in Tasman's Peninsula and

the unsettled districts to open roads etc. This looks like a double acceptance of both systems; but a private letter received since by Mr Forster informs him and is made to inform Sir John that Lord John Russell agrees entirely to Mr Montagu's system. Yesterday comes a letter from Mr Montagu saying not one word upon that all important subject.¹³"

This letter is enlightening in several respects. It reveals Lady Franklin's interest in and her keen grip of current affairs in Van Dieman's Land. It is significant that Captain Forster should show her Montagu's scheme and that she should condemn it frankly and fearlessly on the grounds that it ignored the best interests of both colony and colonists. It is an instance too of Montagu's lack of regard and consideration for the Lieutenant Governor, not only in presenting an unauthorized scheme to the Colonial Office but also in omitting all mention of that scheme to his superior. This was the elusive insubordination that irritated Franklin while it left him powerless to act since he had little tangible proof. It was galling to Franklin that his carefully thought out scheme which he had already put into operation with the knowledge of the Home Government, should be passed over by the Colonial Office in favour of one personally urged by his Colonial Secretary.

Franklin determined however to suppress all feelings of unpleasantness and to greet Montagu with all friendliness at the great banquet prepared for him on his return from England. This attitude was typical of Franklin and excellent in a private gentleman; but it was disastrous in the Governor to submit without establishing his authority and putting Montagu in his place.

¹³. Lady Franklin to Mrs Simpkinson. 18th July, 1841.

On his return, Montagu's manner became still more imperious. To Franklin's uneasy mind, he seemed to aim at the inversion of their relative positions. Montagu and Forster both had great influence in connection with the Derwent Bank which in the early '40's was holding mortgages over a great number of estates. Montagu now came back with increased commissions for the Derwent Bank and a vast accession of claims to political importance derived from his boasted intimacy with the affairs of the Colonial Office. Franklin felt now that Montagu had become more jealous of control and that his determination whenever they differed was to carry his point at all costs. Franklin has the impression too that Montagu's love of influence and power was indulged at the Governor's expense -- that Montagu wished it to be believed that in him resided all the energy and power of the government. In this way the impression was fostered that Franklin was the catspaw of the 'Arthur faction'.¹⁶ It must be admitted that Franklin was not free from blame. He nursed his grievances that were real if intangible, and yet continued to defer ~~the~~ to Montagu in all matters of administration.

Montagu seems to have made himself indispensable. It is no wonder he considered himself the mainspring of the Government. Franklin records rather pathetically that anything unpalatable to individuals or disagreeable in its results was willingly attributed to the Governor, popular and pleasant things were all of the procuring of the Machiavellian Mr Montagu.¹⁷

But if Franklin was lacking in subtlety and energy in quelling the "Arthur faction" there was one at his side, talented, capable and with an energy

rivalling Montagu's, who burned to see him restored to his proper authority and prestige. That the personality of Lady Franklin was a major factor in the Franklin - Montagu dispute, is a fact often ignored by the historians and commentators.

Lady Jane Franklin was Franklin's first love and a friend of his first wife . When they married in 1828, Lady Franklin had already travelled widely in Europe and indulged in a love of adventure unusual for women in those less spacious times. Her portrait painted in Italy when she was about 24 years old shows a charming oval face, splendid eyes and waving dark hair. She was 37 years old when she married¹⁸ Franklin. In an article entitled "Portrait of a Lady" the writer longs for the pen of a Scott or a Dickens to describe this woman who had the just applause of millions. The writer had ample opportunity of witnessing the private life of the Governor and his amiable lady. He declares that a reunion or an "At Home" in Lady Franklin's time was an intellectual treat -- the most enjoyable of all parties. She is described as being very strong both physically and mentally; but of a morbidly nervous and sensitive temperament. To see her ascending the slopes of Mt. Wellington calls for the poetic references to Diana and Atlanta. She was certainly a great traveller, innately brave, a perfect heroine, for danger never deterred her. Her daring expeditions to Macquarie Harbour and overland from Melbourne to Sydney were unparalleled in her day. The writer goes on to eulogize her example, her manners, her love of virtue and her strict morality, all of which did much to improve the rising generation. "All her acts were incentives to virtue, in her was no cant or

hypocrisy, no whining sentimentality -- all was truth."

He admits that this excellent woman had bitter enemies but quotes philosophically, "Be thou chaste as ice, as pure as snow, thou shalt not escape calumny."

He concludes by pointing out that although small in stature she was great in mind and her great liberality and charity were unbounded.

In any society of the day, Lady Franklin would have stood out prominently. In the rigid little society of Hobart Town her very qualities of intellect and physical vigour were enhanced into eccentricity. Her surprising exploits -- the first woman to climb Mount Wellington, to explore the wild country between Lake St. Clair and Macquarie Harbour, to make overland journey from Melbourne to Sydney, -- these were regarded as an offence against decorum.¹⁹

The papers of the day slandered her cruelly. As the result of a eulogy of her in the Sydney 'Australasian' of August, 27th. 1839 for her adventurous tour from Port Phillip to Sydney and for her attention to the condition of the miserable aborigines, the 'Review' and the 'True Colonist' criticized her harshly. 'The Colonial Times' speaks of "Her Ladyship's eccentricities" and begs her to pay more attention to the condition of the poor and the destitute and, having contributed to their relief, then follow her mineralogical, botanical and zoological pursuits. Another correspondent defends her "It appears downright mawkish to us to object to Lady Franklin's desire to witness the aspects of savage life."²⁰

Her very difference, her receptions, the first of their kind in Van Dieman's Land, her journeys, her frank and easy speeches all led the envious tongues to wag.

¹⁹ Fitzpatrick Paper.

²⁰ 'Colonial Times'. 8.10.39. p.324.

She was always eager for her husband to be actively employed. Before their coming to the colony she wrote in 1830, "I look with remorse on our career of vanity, trifling and idleness!"²¹ She grudged every month of inaction, never having any sort of value for domesticity. With Sir John she was ardently desirous of establishing schools and colleges for the youth in Van Dieman's Land. She wrote to a friend describing her plans for a girls' High School.

"A noble task it will be to regenerate the race of girls in this colony. Their frivolity, emptiness, ignorance and boldness of manner are deplorable. And yet they are sharp-witted and pretty and no doubt have as much moral aptitude for good things as the generations from which they sprang.

"The Institution should be a few miles out of Hobartown but near enough for me to visit frequently -- not from a desire to interfere, but with the hope of establishing intimate intercourse between Government House and the school. Such an institution if it contained only 12 or 20 girls would gradually leaven the whole mass!" She goes on to refer to Mr Gell, the headmaster sent out on the recommendation of Dr. Arnold of Rugby. "I cannot tell you how much I like Mr Gell, he has a profound and original mind, and pure and noble feelings. It does me good to be with him though I am exceedingly and even painfully anxious as to his success!"²²

It was this enthusiastic interest, expressed as above in the exaggerated fashion of the times, and her participation in all, phases of colonial welfare that antagonized rather than pleased a section of the community and led them to accuse her of interference. Murray's Review, one of the most scurrilous journals of the time printed a column entitled "Who governed the Colony?" -- a satirical sketch

²¹Diaries of Lady Franklin . Rawnsley p.18.

²²Rawnsley p.83.

based a diary in manuscript written by Mr Gell --later Sir John's son-in-law. In the diary Mr Gell refers playfully to Lady Jane as "the Governess" and says she was in a "fervour" about establishing the College and began to press it upon the Governor. Lady Franklin and the Colonial Secretary, (not the Governor.) chose the siteLady F. is to be opposed in her collegiate schemes by certain members of the Legislature ...Lady F. has been troubling herself today about changing Gunn as Private Secretary and about getting an A.D.C. in place of Parker. The Colonial Secretary is inflexible on the point of a school rather than a College" -- and so on.

The Review went on to say "We shall show from the same authority how equally entirely Lady F. governed in other affairs. And was this a proper position for any Colonial Secretary or indeed any Colony, to be placed in?" Gell insisted that the manuscript had been stolen and requested Murray to suppress further publication -- which left confirmed in the public mind that Lady F. was Governor. ²³

Montagu later in his "Book" asks "Who governed the country in Franklin's time? Lady Franklin." Lady Franklin was quite aware of the bitter hostility of a certain section. In a letter to her sister she wrote "I do not like leaving Sir John. He has to deal with a set of men who would delight to press upon him and me the more if they thought I should sink under it. Is it a deep sense of personal injury, is it implacable resentment that makes me feel thus? It is a deep-seated conscientious knowledge and conviction that Mr Forster and his party are unworthy of Sir John's confidence - are dishonest, base-minded, selfish and unfeeling men, without principle, without

scruple, and almost without shame where their personal passions and interests are concerned!" Then referring to a slanderous article, she wrote, "Is it not shocking that these vile and destructive falsehoods (which nobody however can tell are such for there is nothing incredible -- the underlining is hers -- that I write articles in newspapers and interfere in the Government) should all be published again in London to be read and commented on by everyone!"

The friendly intimacy between Mr Montagu and Lady Franklin, begun while the Montagus were staying at Government House and continued by correspondence, ~~was~~ suffered 'a sea-change' by Montagu's return. Six months later, Lady Franklin writing to her sister mentioned Sir George Arthur -- "Even his warm partisan and friend Dr. Turnbull admits that he was cunning and had a sharp eye to his own interests. Everybody admits his cleverness and the adroitness with which he parries all attacks and triumphs over all his enemies. Mr Montagu is an inferior specimen of the same school -- "a man" says Captain Ross, /who deals in strong words without one elevated sentiment. / Captain Ross became imbued while here with the Anti-Arthur spirit. He said he judged for himself; but I think he was influenced also by the passionate emotions of those who think themselves injured by them.

" For my own part I can scarcely help feeling myself one of these, when I reflect that whatever faults Sir John may have committed in his Government are attributed to them and when I feel (again the emphasis is hers) the sly, deep steady but undetected opposition they are making to Mr Gell's College which I am sure will

never be erected if they can help it!"²⁵

Even as Lady Franklin wrote these words in October 1841, events were rapidly approaching a crisis. The three main figures in the dispute Sir John and Lady Franklin and Captain John Montagu were about to be involved in a whirlwind of bitterness and recrimination that finally was to sweep the three of them from the colony. The event -- the so-called Coverdale Case with its disastrous consequences, was not the cause of the dispute -- but the climax of a situation that had become intolerable to both parties. The differences however between the two parties must not be considered merely in connection with a few passionate speeches and angry notes. These are simply incidents in a definite personal struggle -- a struggle for supremacy.

25.

Lady Franklin to Mrs Simpkinson
Oct. 12. 1841.

SECTION 111.

On the 23rd August 1841, the Coroner of the Police District of Richmond wrote to the Colonial Secretary concerning an inquest held at Tea Tree on the body of one Richard Higgins who had come to his death ¹ accidentally by the wheel of a cart passing over his body. Concluding his report, the Coroner wrote -- "it was the opinion of the inquest jury (foreman Dr. Turnbull) that Dr. Coverdale's conduct should be enquired into."

As a result, Dr. Coverdale who was the District Surgeon at Richmond wrote an explanation of his movements on the 17th August to the Chief Medical Officer Dr. Clarke. Dr. Coverdale said that he had come down to breakfast about 8.30a.m. and was informed by his servant that a man had called, asking the doctor to go and bleed a man who had been run over in the chest by the wheel of a cart and who was at Cutt's Farm at Tea Tree. No name was given and no definite location -- Cutt's Farm was evidently a large one and sheltered several families. (The present township of Richmond is about 18 miles from Tea Tree). The Doctor decided to wait for more definite information. When this had not arrived by midday, he went off in another direction on his professional rounds. While he was away, the messenger called again and gave the injured man's name. The Doctor returned late that afternoon and decided to wait until the next morning. Meanwhile he heard that medical attention had been given and that the matter was not pressing. The man Higgins died the second day.

In his explanation, Dr. Coverdale threw doubt on the fact that a wheel had passed over the man and asserted that Higgins suffered from lung trouble and was intoxicated when he fell out of the cart.

1. All despatches re Case in O.D.41. Vol.1. 1841.

On the receipt of this letter, Dr. Clarke wrote to the Colonial Secretary stating that, in his opinion, Dr. Coverdale had not justified his conduct. Vague though the message "that a man at Cutts' farm had been run over and wanted bleeding" might be, that was no reason why Dr. Coverdale should infer that the accident was of a trivial nature. He ought to have gone immediately or at least after he had heard the man's name. So Dr. Clarke advised that Dr. Coverdale be severely reprimanded.²

With his usual capable decision, Montagu passed the letter on to the Governor with the accompanying memorandum. "I think Dr. Coverdale's public services should be immediately dispensed with."³ It is well to pause here and notice the significance of this memorandum. Mr Montagu, the Colonial Secretary and not the Governor, Mr Montagu, a military not a medical man, goes beyond the recommendation that Coverdale should be reprimanded, and in an authoritative tone, recommends dismissal -- immediately, without further trial or investigation.

Rapidly -- was it too rapidly for a deliberated judgment? -- came Sir John's answer written on the same day.

"I think this case one of absolute neglect which probably led to the death of the patient, and therefore direct that the services of Dr. Coverdale be dispensed with."

The next day, the Chief Medical Officer was informed "Dr. Clarke will have the goodness to cause Dr. Coverdale's removal as directed by the Lieutenant-Governor and submit the name of a competent Medical gentleman to succeed him."⁴

². 31st Aug. 1841.

³. 1st. Sept. 1841

⁴. 2nd Sept. 1841.

In the copy of this despatch in the Records there is a curious memorandum added in pencil in the handwriting of the Assistant Colonial Secretary. He wrote this, which seems a strange lapse from Mr Montagu's well known efficiency. "This was sent to Dr. Clarke by mistake without signature. He has however acted upon it."

On the 3rd September, Montagu wrote to the Governor and informed him of Dr. Coverdale's removal. The next day Dr. Coverdale, startled at this apparent bolt from the blue, wrote to Dr. Clarke. "I think it must be admitted that His Excellency has formed a hasty if not a harsh conclusion in removing me from my public duties without affording me an opportunity of further explanation ---as an act of common justice, I am entitled to a cool and dispassionate investigation of the whole affair." After recalling the fact that he had accepted the appointment when a malignant fever was raging, he concluded, "Now I am to be removed for non-attendance upon a private individual whose name or residence I was not made acquainted with ---"

On the 8th September Dr. Coverdale wrote a long letter to Mr Montagu - especially to Mr Montagu - explaining his attitude and complaining, justly it seems, that the case had been judged upon the observations of but one medical man and that, only a vague opinion.

Mr Montagu submitted this letter to the Governor, with this interesting memorandum -- "It does not appear to me that any further enquiry into this case is necessary, since the indifference and neglect which he was guilty of, have been collected from his own showing of his conduct. I think that he should be informed that the Lieutenant-Governor's decision had no reference to the

professional opinion expressed, nor was his conduct in the professional point of view to which he refers, taken under the Lieutenant-Governor's consideration."

He received the Governor's signature under the one word "approved". So Montagu embodied his own advice word for word in his letter to Dr. Coverdale.

Again Dr. Coverdale penned another extremely long and extremely detailed reiteration and nauseam of his innocence. But Montagu was inflexible against his pleas. He enclosed the letter in another memorandum to the Governor.

"I submit Dr. Coverdale's letter and a reply I have prepared to it for His Excellency's consideration."

Again he received the Governor's signature under the damning words "Returned approved".

And so, Dr. Coverdale received ~~received~~ what Mr Montagu determined should be his final word on the matter. "I am directed to inform you that the Lieutenant-Governor does not doubt that you acted in the manner attributed to you under the impression that the case was not in the least degree pressing -- but whilst his Excellency makes every allowance for that impression, he cannot admit it as a justification of the negligence and indifference towards the unfortunate man which your own statement made apparent."

This correspondence on the Coverdale Case has little intrinsic value but it provides a typical example of the relations existing between Mr Montagu and Sir John Franklin on matters of administration.

6 9th Sept. 1841. 7 13th Sept. 1841.

8 20th Sept. 1841.

The correspondence reveals the self-assurance of Mr. Montagu in his direction of all affairs in the colony and the apparent acquiescence of the Lieutenant-Governor.

In the light of the active part taken by Mr. Montagu in the dismissal of Dr. Coverdale, it seems almost diabolical on his part to follow up the affair by deliberately conveying to Franklin that in his opinion the Lieutenant-Governor, by his strong animadversions on the surgeon's conduct, had inadvertently conveyed a charge of manslaughter. Montagu, apparently ignoring his very definite memorandum of the 1st of September, insisted that Franklin's comment had greatly aggravated the Surgeon's offence.

Franklin was horrified. With amazing intent, Mr. Forster who was present at the time with Mr. Montagu, expressed his belief that the Attorney-General's opinion should have been taken as to the tendency of the Governor's observations.

If this were so, then Mr. Montagu should have suggested referring the case to the Attorney-General instead of acting as he did. Much as he deserved the rebuke, Franklin's position was certainly pitiable. Writing of this incident, he said "As this commentary and suggestion were not made until some time after the memorandum conveying the imputation had been written by me and acted upon, they could only produce upon me a most painful impression and a great anxiety to repair the inadvertence."

Franklin was thus convinced that he had acted with precipitation and "not having yet learnt that it is a greater blunder in a ruler to repair than to commit an error," it was a great relief when he received a memorial from twenty seven of the most respected inhabitants of

Richmond district, including the name of Mr. Turnbull, the foreman of the inquest jury, petitioning that Dr. Coverdale¹¹ be reinstated.

Franklin was delighted to accede to their request. To this Montagu offered the most strenuous opposition. He recapitulated the letters sent by the Governor's authority, to Dr. Coverdale, pointing out significantly but not with absolute veracity, "that Dr. Coverdale's case had been three times fully considered by Your Excellency." Montagu insisted that the petition offered no justification or explanation of the Surgeon's conduct. He begged the Governor to think of the effect on the community - Richmond contained about 2,700 free inhabitants at the time - and that the case affected not an individual but a community.¹²

Franklin refused to be perturbed by the intensity of feeling of his Colonial Secretary. He wrote blandly "I am of the opinion that it is one in which the prerogative of mercy may legitimately be exercised." He concluded the letter by mentioning quite conversationally that he had been doing his day's duty down at the observatory. He did not realize then how soon all his leisure time was to be curtailed.¹³

After absenting himself for several days-a most unusual proceeding -- Montagu was sent for by the Governor. Asked for an explanation of his conduct, Montagu, in a very formal and deliberate manner informed Sir John that evil consequences would ensue from the step the Governor had taken respecting Dr. Coverdale; that great excitement prevailed in the district of Richmond; that the petition was an entirely political movement and -- this very meaningfully - that he, Montagu, knew how it was 'got up'.

He went on to say that Dr.Coverdale's punishment was stated to be Montagu's act and that to restore the Doctor, was to degrade his office of Colonial Secretary. So, Montagu concluded, His Excellency could not, in the future, expect the same assistance that had been hitherto rendered, that he, Montagu, would keep strictly within the line of his official duty --"that he feared however," Franklin wrote, "that my official labours would be greatly augmented; but ¹⁴ he hoped the evil consequences he foresaw might not take place."

These were not idle threats. From then on, Montagu absented himself as much as he could from personal attendance. He forwarded papers without attaching the necessary information. He referred needless questions to the Lieutenant-Governor who was overwhelmed with the investigation of minute details and made to feel his dependence on Montagu. It was currently reported by Montagu's adherents that the Colonial Secretary would ¹⁵ speedily bring the Lieutenant-Governor to terms!

But to return to Montagu's assertion that he knew how the petition for Dr.Coverdale was 'got up'. Montagu now accused Lady Franklin of agitating the Richmond district in Dr.Coverdale's favour. He also referred to a letter from Mr.Forster in which Forster declared that in the course of conversation Lady Franklin had mentioned Montagu as being the cause of Coverdale's removal. Feeling a keen sense of injury, Lady Franklin immediately wrote to Mr.Montagu anxious to dispel the misunderstanding and to disprove his accusation that the Governor's lenity in the Coverdale case had been due to her influence.

¹⁴ Narrative p.15.

¹⁵ Narrative p.16.

At Sir John's request, Lady Franklin wrote an account of her visit to the Richmond district at that time. Included in the letter, she wrote "It was Mrs Parsons who told me that it had been a question in the District whether the respectable inhabitants should not make a public representation to the Governor. 'I hope they do not', I replied, 'It is not easy for a Governor to reverse his own decisions. They would need a strong case or more harm than good would be done. A better way', I added, 'if they feel so strongly upon it would be for a few reputable persons to make their individual representations in private and in person, to Sir John.'"

When Franklin showed this memorandum to the Colonial Secretary, Montagu read it without comment.

Montagu now assumed the attitude of an injured person and informed the Private Secretary Henslowe, that intercourse between their families was now impossible, since the Montagu carriage could not drive up to the door of Government House. The Private Secretary and his family resided with the Governor.

With questionable taste, Montagu proceeded to exhibit extensively his correspondence with Lady Franklin, but without her explanatory memorandum. He certainly had the field to himself for Lady Franklin was necessarily debarred from recrimination. Determined however to effect a reconciliation, Lady Franklin offered to burn all the correspondence. Her overtures were without effect. Montagu repulsed her consideration. These negotiations closed thus unfavourably about the 20th November, about one month after Montagu had first accused Lady Franklin of agitation in reference to Dr. Coverdale.

Later, after Montagu's suspension, a series of cruel and impudent articles appeared in the V.D.L. Chronicle and other papers to show that Lady Franklin's malign influence over Franklin was the sole cause of Mr Montagu's suspension which arose out of the Coverdale case. The Courier at the time was under the dominance of the Derwent Bank; the Advertiser was changing hands; Murray's Review, the unflinching champion of every monument and relic of the Arthur administration of which, at an earlier period it had been the unscrupulous reviler, was of course Montagu's advocate. Its pages were particularly distinguished by their exhibition of passages from the correspondence of Lady Franklin, Mr Montagu and Mr Forster.¹⁷

As a result, the whole Coverdale case was blazoned forth by Mr Macdowell of the V.D.L. Chronicle. In vain did the Reverend Mr Aislabie declare himself to be the real author of the petition. On 4th February 1843, the 'Courier' wrote "In the beginning of October Sir John and Lady Franklin went to the Richmond district where her Ladyship remained several days and during this period a private petition was got up to restore Dr. Coverdale. The correspondence which ensued upon the subject, of necessity caused the name of Lady Franklin to be introduced."

Immediately Mr Aislabie wrote to Mr Montagu, evidently mistaking him as the author of these attacks, and denied that the petition was got up during Lady Franklin's stay or that she had anything to do with it.¹⁸ Deliberately falsifying the testimony of Lady Franklin's memorandum, Montagu wrote to Mr Aislabie --

¹⁷ Murray's Review. 18th Nov. 1842.

¹⁸ Letter to M. 7th Feb. 1842.

"I feel bound to inform you that I as well as others have read in Lady Franklin's handwriting that she did suggest to Mrs Parsons the private petition in Dr.Coverdale's case." ¹⁹

Mr Montagu of course, lived before the days of Victorian sentimentality, the chivalry of the Idylls of the King["] and all that. The convict air of the colony inspired ruthlessness. If Lady Franklin was unfortunate enough to be drawn into pitting her personality against Montagu's, her word against his, then he would fight her as he would fight a man with any weapon however unscrupulous. In that case he was singularly well equipped in having several Van Dieman's Land journalists as his henchmen.

19
Montagu's answer 8th Feb.1842.

The breach between the Lieutenant-Governor and his Colonial Secretary grew wider in the closing months of the year 1841. The cause of the aggravation concerned the Van Dieman's Land Chronicle which now began to draw invidious comparisons between Sir. John Franklin and his predecessor and to exhibit him and his family in odious and malignant characters before the public.¹

In the first issue of the V.D.L. Chronicle in 1841, the following paragraph appeared -- "We shall be enabled to afford our readers the only authentic official information in reference to Government measures."

Montagu had requested Franklin's patronage of the paper, as the writers in it, the brothers Macdowell, were his personal friends. Franklin asked Montagu quite mildly what Mr Elliston of the 'Courier' would think if official information were given exclusively to the V.D.L. Chronicle. Montagu, knowing Elliston's paper was financed by the Derwent Bank, replied briefly, "Oh, he knows too well on which side his bread is buttered."² So Franklin left it at that and expected Montagu to look after the fulfilment of the patronage. Franklin however, did repeat the conversation to Henslowe, his private secretary who immediately began to furnish articles and bought the paper for his own and for office use.

Immediately after the public manifestation of the rupture between Franklin and Montagu, insulting articles began to appear in the Chronicle and the rumour spread that the Colonial Secretary was using the newspaper directly and indirectly to abuse and

¹ Narrative p.17.

² Narrative p.18.

degrade the Lieutenant-Governor and his family.

The article which created the initial stir was a leader written by Edward Macdowell, the brother of the usual editor, and published 10th December, 1841. Among other things, the article stated - "We have decided to treat Sir John Franklin's government here as a matter of mere colonial History. Sir John retires from the Government of this colony perhaps without making himself a political enemy, certainly without making himself a political friend. Yet, to what enchanting prospects did the colonists surrender on the arrival of him for whose departure they now exhibit so many overt acts of unequivocal anxiety. The folly, was in the people - the fault belongs exclusively to Sir John. --- -- Expulsion from office has become a daily medicine and yet no vigour displayed ---" and so on.

Anxious that such articles should not appear in a newspaper under Government patronage, Mr Henslowe, the private secretary wrote to Mr Montagu urging him to deny the rumours and denounce the articles. He insisted that the correspondence was private or strictly personal. He obtained no satisfaction from Montagu who denied knowledge of the article and of the fact that the newspaper was a Government organ.

This elder Mr Macdowell was the son-in-law of Mr Swanston, the manager of the Derwent Bank with whom Montagu was closely connected. It seems obvious that these two men could have checked any offensive writings if they had wished. Also, often as Montagu might deny any association with the abusive newspapers and their authors, yet there is much evidence that they had the closest associations and intimacy. They spent their holidays together, they stayed in the same settlers' houses,

later they formed a farewell family party on Montagu's departure. Finally Henslowe revealed the correspondence to Franklin. He accused Montagu of well-known intimacy with the Macdowells and of using the newspaper to vilify the Governor "while making use of the information which he only can derive from the Governor, for improper purposes."³ In his answer Franklin stated - "Every right-minded person must feel disgust at the barefaced confederacy with so unprincipled a person as Thomas Macdowell." The disrespectful articles continued and Henslowe still endeavoured to persuade Montagu to withdraw his patronage.⁴ Montagu's replies were cold and non-committal. Mr Henslowe received his share of opprobrium for his 'meddling'. Murray's Review attacked him -- "Mr Henslowe went to Sir John Franklin with this correspondence that was perfectly private, of a nature personal not official as respected both Mr Henslowe and Captain Montagu as it was declared to be."⁵

Henslowe's comment was published privately later. "This rupture (between Sir John and Mr Montagu) was not generally known for some weeks; but was first betrayed to the public by a series of articles in a newspaper which had been started notoriously under Mr Montagu's auspices. I therefore determined to obtain from Mr Montagu a denial of the report in question ----because of Mr Montagu's immense power in this colony (derived from his wealth, his financial connections and many other sources) which I knew to have inspired in some men's minds the delusion that no Governor could oppose or act independently of him. Mr Montagu evaded the point altogether." When he referred to the correspondence as 'strictly personal' Henslowe said he was writing on his own responsibility.

³ 14th. Dec. 1841. O.D.

⁴ 6th. January, 1842.

⁵ Jan. 28. 1842.

He denied the construction put upon his action by Murray's Review. "'Personal' and 'Private' are not synonymous -- Mr Montagu himself never considered the correspondence private; but made public use of it."

At last, on 11th January 1842, Franklin drew Montagu's attention to the scurrilous articles and that, since he was the channel of communication of official business with the paper, he should do something about the many articles of a highly injurious character to the Government.

Montagu gave a strange reply. Although all newspapers were filed in the Colonial Office and Mr Montagu was himself a subscriber to the Chronicle, he denied all knowledge of the offensive articles or that he could withdraw assistance he had never given,

Commenting on the situation in the Courier, one, "Civics", wrote "Any third class boy of common capacity must have foreseen that the only result must be (and be so understood by both) that one of the combatants, either the Lieutenant Governor or himself, must retire from the field."

In answer to Montagu's reply of the 13th, the Governor wrote a severe letter reprimanding the Colonial Secretary -- referring to his unwarranted reception of Henslowe's letters and censuring his association with the libellous Editor. "I am under the painful necessity" he wrote "of expressing my conviction that any indifference to the interests of my government on the part of a Government officer in so high and responsible position as the Colonial Secretary, tends to throw discredit on my Government, a result against which I am bound to guard."

At last Franklin had lashed back; but it was too late.

⁶ See Private Corres. bet. Henslowe & Montagu for 1842.

⁷ Narrative - appendix.

⁸ 17th. Jan. 1842. Melb. Library.

At last, too, Montagu flung discretion to the winds and in his reply after re-iterating his denial that he had authorized the Chronicle as a Government organ, he wrote insolently, "The members of your Government have had frequent opportunities of testing my memory as to have acquired for it the reputation of a remarkably accurate one. Your officers have not been without opportunity of learning that your Excellency could not always place implicit reliance on your own." The letter was a long and copious one, presenting logical and convincing arguments and revealing the dominant, arrogant personality of the Colonial Secretary.

Meanwhile, the Governor stung to further action had addressed a memorandum to Montagu - "Recent experience having taught me the danger of conversations, I am under the necessity of instructing the Colonial Secretary to make no reference whatever to any conversation that he may have with me in the future." This decision was called forth by Montagu's action in requesting two public officers in Government House to write a report on a conversation between Franklin and Montagu, so that Montagu might have witnesses if necessary.

As was to be expected, Montagu's insulting imputation as to Franklin's credibility as expressed in his reply of the 17th brought affairs to a climax. After several days, the Governor delivered his ultimatum. "After the most anxious and deliberate reflection upon the tone of that officer's late correspondence, and the tenor of his conduct during the last three months, the Lieutenant-Governor has arrived at the painful conviction that Mr. Montagu's continuance in the

office of the Colonial Secretary would be derogatory to the honour of the Crown and detrimental to the Public Service.¹¹"

So, on the 25th January 1842, exactly three months after his "announcement" of his intention to withhold the assistance he had previously rendered -- Montagu was suspended and his services dispensed with.

On the day following his suspension, the newspapers announced the event and included an "authentic precis" of the correspondence of the previous months -- an ¹²exparte statement full of the grossest misrepresentations. Murray's Review made much sport of Montagu's "ordinarily good memory and Franklin's poor memory". The Advertiser said -- "Captain Montagu has long been trusted by Sir John who has deferred to him in many points -- in fact in the whole business of government. At length a slight difference arises and the Colonial Secretary remonstrates. May he not in the pride of long continued power and pride of talent have forgotten a little too much what was due to the Governor?" The Review in high fettle, satirized the 'private' and 'official' correspondence as a whole and especially Lady Franklin's "wish to avoid interference when she wrote to the Colonial Secretary ~~and~~ about the reinstatement of Dr. Coverdale."

Franklin recorded Montagu's "virtual appeal to the public through the newspapers, his threats of unwearied persecution of me and of expulsion from all the clubs of London, and his ¹³attempts to excite the popular feeling in his favour at my expense; for all of which extravagances I made more than sufficient allowance in consideration of the excitement of his feelings."

¹¹ 25th. Jan. 1842.

¹² Murray's Review, 26th. Jan. 1842.

¹³ Narrative p. 22.

On January 27th, Montagu replied to his letter of dismissal and assured his Excellency that he had weighed every word carefully and meant no disrespect. "Considering my official station and established character as well as my long, tried and approved public services, I should at all events have been afforded an opportunity for explanation before so severe a course was adopted towards me." The words have a ring faintly reminiscent of Dr. Coverdale's correspondence to Montagu.

On January the 29th, Montagu wrote again to the Lieutenant-Governor, informing him that he would be leaving for England in a week's time and would like definite evidence in connection with his correspondence and conduct being disrespectful and derogatory so that he could give the requisite explanations to the Secretary of State.

The Governor had put to it, gave him his reply on the 31st. "The tone of your late correspondence is generally disrespectful and the tenor of your conduct during the last three months detrimental to the Public Service." He went on to refer to the gratuitous insults in Montagu's letters, and denied that the letter of the 25th was the first instance of his sentiments -- that Montagu had had ample opportunity to justify himself.

On the same day, six days after his suspension, Montagu wrote a full and profuse apology. The Lieutenant-Governor received the apologies as a private person; but regretted that he must abide by his decision. "But the Lieutenant-Governor will not fail to represent to the Secretary of State, the offer of reparation made by Mr. Montagu.

"He will also bear his willing testimony to Mr Montagu's talents and fitness for office under any Government; but that of Van Dieman's Land." ¹⁴

This was a tactical error.

West says that Sir John Franklin was the only man to accompany a dismissal with a eulogy and the result of its candour will probably prevent its imitation. Franklin admitted that the apology rather puzzled him. "Mr Montagu's letter of the 31st January is an anomaly in his correspondence with me. He acknowledges the announcement he made me of his intention to ^{abstain} from cordial co-operation, is able to understand at once all the observations on my part which had hitherto baffled all his efforts to comprehend them and begs to offer me every reparation and apology for the offensive imputation he had made in a former communication." This explains the quixotic warmth of Franklin's recommendation. "The eulogium I passed upon Mr Montagu's talents and my recommendation of him to office in any other colony than Van Dieman's Land, was used as an argument and regarded as the reparation for the infliction of a gratuitous wrong. Be it so. I may stand convicted of a political blunder; but retain the blessed consciousness of having done no man, not even Mr Montagu, more injury than the stern demands of duty forced on me." ¹⁵

In the few days left to him in Van Dieman's Land, Montagu assiduously collected all the evidence he might use in his defence to the Secretary of State. He requested the Governor to send to the Secretary of State the minutes of the Executive Council for the last quarter of the year 1841, together with all reports, notes

and memoranda made by him for the Governor's assistance so that the Secretary might see the extent of service rendered. He particularly insisted that a report be sent showing that his services had been used on the Executive Council until within a few hours of his suspension which had previously been decided upon. His Excellency courteously assured Montagu that he would not fail to call the Secretary of State's attention to every fact necessary to obtain for him the most ample justice.¹⁶

But still Montagu was not satisfied. Franklin must be sure to send all the necessary documents to accompany the despatch of his dismissal. Then he must transmit to the Secretary of State all communications made from to Excellency, through Henslowe or from Henslowe to the Editor of the V.D.L.Chronicle, "As I shall obviously refer for the purposes of my defence to the communications alluded to." His Excellency disdained to take notice of this request with its questionable assumption. Several unpleasant letters were exchanged on this topic -- terminated by the Governor informing Montagu "that whatever communication has been made from Government House to the Editor of the V.D.L.Chronicle has been in consequence of the representations made by you to His Excellency prior to the establishment of the paper."¹⁷

Most amazing of all Montagu's actions in that last week was his request through Dr. Turnbull to Lady Franklin that she should use her influence to have him reinstated as "an act of grace".¹⁸ He spoke feelingly of the 'fierce phalanx of his enemies'¹⁹ from which in the hour of danger only Lady Franklin could save him. When an abusive article appeared in the V.D.L. Chronicle the next day, Montagu demonstrated his change

¹⁶ Narrative p.33.

¹⁸ 27th Jan.1842

¹⁷ 2nd, 3rd, 4th Feb. 1842. O.D.

¹⁹ Narrative p.60.

of heart by publicly upbraiding Thomas Macdowell for his abuse of a lady. So, by a strange irony, Lady Franklin, the 'Governess' put her influence to the test, asked for Mr Montagu's reinstatement and was refused. Montagu enquired of Turnbull if Lady Franklin had been sincere in her mediation. "As sincere," responded Turnbull, "as it is possible to be."

Montagu thereupon embarked without conveying a word of notice or acknowledgment to her Ladyship. Dr Turnbull at the time said to Lady Franklin -- "If after what has passed, Montagu ever does use your name in any other language than that of respect and gratitude, I say it will be the basest of actions."

Lady Franklin, however said she could not be blind to the policy which Mr Montagu had in view respecting her, and that she believed a conspiracy was organized which would have its agents here as well as its prime agent at home for the purpose of ruining her husband, if they could do so through her. She pointed to ~~Private~~ letters and to the local press for her beliefs.

Franklin was reluctant to mention Lady Franklin's name in the despatches. He did so, briefly however, because he suspected that Montagu might denounce her as an agitator. He did not however think it necessary to refer to Montagu's final appeal to Lady Franklin. This proved to be unfortunate. Franklin seems to have been so relieved at Montagu's departure; that he magnanimously speeded the parting guest as handsomely as possible,.

He did, however, write a supplementary despatch to Stanley, in which he alluded to several cases of suspension of officers during his term of office. In several cases these officers attributed their dismissal

to the hostility and ill-will of Montagu. Montagu used these very suspensions against Franklin in his defence before Stanley. Franklin quoted the case of Captain Cheyne. Montagu in 1841 threatened to resign if Cheyne were not dismissed. Again, while he was in England, Montagu wrote urging the removal of a certain official and intimated that if this were not done, Franklin's "days were numbered".

Further fuel was thrown to the flames by further discoveries concerning the scandal of the St. George's Church repairs. Early in 1841 a sum of about £150 had been assigned for the repairs. Later Captain Cheyne had presented a bill for £2,000 for work which he insisted had been authorized by the Government. Montagu flatly denied that he had given the authority or that he had seen the plans. A few days after Montagu left the colony it was proved beyond all doubt that he had made a false statement in this connection. The following letter bearing his written authority for the architect to proceed with the work, was made public. On July 1, 1841 Charles D. Logan wrote to Montagu.

"Agreeably to your desire the plans of the new portico, spire and other improvements for St. George's Church have been submitted to Mr Fry, Mr Hone, and Mr Barnard, who have authorized me to say that they with myself, highly approve of the design and respectfully request your assistance in effecting its completion."

Endorsed on the above note in Mr Montagu's handwriting are these words -- "Captain Cheyne is now authorized to proceed with the work as speedily as possible and if anything should occur to delay its progress, he will have the ~~power~~ goodness to report the cause to me for the Lieutenant-Governor's information." Signed - John Montagu,
July 2, 1841.

One journal commenting on this says, "This naturally throws a strong doubt on all his statements as also does a comparison of his very angry, disingenuous account afterwards published, with the dignified, gentlemanly statement of Sir John."²¹

On 8th February 1842, Montagu and his family embarked on the swift ship "Calcutta" bearing with him several glowing testimonials and letters. Speaking of this departure later he says that he left the colony "without in fact knowing the actual fault imputed to me."

Franklin rightly admits that this would appear a plausible excuse to those who were ignorant of the facts. "The subtle character of Mr Montagu's conduct was such as to make it extremely difficult to embody as specific charges that thorough disaffection, and those minute but incessant reticences of duty which were productive of more serious impediments in the administration of affairs than a more open opposition would have been."²²

On his arrival in London, Montagu saw ~~that~~ Lord Stanley immediately and set before him all the documents and correspondence connected with his defence. Finally he wrote to the Secretary of State.

"In Your Lordship's hands, I leave my case with the most perfect confidence. My character, my happiness and the advancement in life of my children depend upon Your Lordship's decision; but I rest satisfied that truth, innocence, and honorable deportment will not be overlooked by your Lordship, when reviewing the conduct of a gentleman whose public life of upwards of twenty-eight years in the military and civil service of his Sovereign has hitherto been not only untarnished, but the subject of the highest commendations from every public functionary under whom he has served."²³

²¹ Tas.Mail. 19.4.23.

²² Narrative p.48.

²³ 24th June 1842 Newman p.26.

A period of calm ensued. Franklin spoke with relief of the mutual confidence and co-operation in his administration during the eighteen months following Montagu's removal. He felt that this removal met with the approval of the great body of the Colonists. They never lost sight however of the fact that Montagu might return -- might return, as he had suggested, as Franklin's successor.

Meanwhile Franklin pursued his reforms in the convict system and remarked frequently upon the unexampled ease and harmony of the sessions of the Legislative Council. Lady Franklin echoed these sentiments in an interesting letter¹ to her sister written on board the "Breeze" in the Gordon River. "Our expedition has been a rough one", she wrote "and perhaps rather an anxious one; but on this very account it has afforded a very salutary change to our thoughts, long harassed by recent political matters at headquarters. Sir John was less in want of it than usual for the removal of Mr Montagu had done him a world of good and everything is going on even unusually well in our little political world---"

P.S. The enclosed papers include all the remaining official papers respecting Mr Montagu's affair, including the humble and supplicating letter which he wrote at the last to lead Sir John to revoke his decision, (just at the time when he was applying to me through Dr. Turnbull.) There is not a dissenting voice in the colony now, I believe, as to the propriety of Sir John's not yielding to this letter. When Sir John had thus confirmed his decision, Mr Montagu lost not the first opportunity of declaring that he meant nothing by it."

¹ 22nd April, 1842. T.R.S.

So, lulled by the unaccustomed peace, Sir John and Lady Franklin ignored notes of approaching triumph of Montagu's friends -- notes that became louder and louder. There were rumours of Montagu's appointment to the Cape and of his intimacy with the household of the Secretary of State. Although a lively discussion continued in the Colony, the Governor received no official communication. Franklin felt that the proper order of things was reversed when he had to learn from the private statements of an adverse clique, circumstances which vitally concerned him and his government. Meanwhile Montagu had been circulating a memorandum of a very defamatory character against Sir John and Lady Franklin in both England and Van Dieman's Land.

Then Lord Stanley's long awaited Despatch arrived. Franklin opened it after it had become public property.² It was publicly read at a dinner table in Port Phillip before Franklin received it. The public read the despatch with the Governor when Swanston put a copy of it for general inspection on his office table. It was doubly humiliating for Franklin to learn that the identical despatch had been addressed first to Montagu by the deliberate act of Lord Stanley. Montagu's reply to Lord Stanley -- very vituperative to Franklin -- was circulated in the colony and alluded to in the newspapers. A Colonist wrote to one of Franklin's officials on the matter. "I have seen copies of Despatch 150 to Sir John, and Captain's Montagu's reply to Stanley, the latter being one of the most extraordinary productions I ever saw, giving Sir John a few final stabs more severe than any preceding ones could be. These various documents are now circulated through the colony and shown to all, as also a

statement of a personal interview between Captain Montagu and the Secretary of State, wherein of course the Governor does not stand in the most favourable light.³"

Here is the Despatch 150 in full. It ~~des~~ provides a convenient summary of the dispute. The comments are most revealing even if they were unsatisfactory to Franklin.

No. 150 Despatch.

Downing Street,
13th Sept. 1842.

..... I shall therefore confine myself to a brief recapitulation of the charges preferred against Mr Montagu and to a statement of the conclusions which I have adopted respecting each of them.

1st - You have represented in substance that Mr Montagu had acquired an influence and authority in the administration of the affairs of your Government far exceeding that which properly belonged to his office; that this influence was maintained by means which, if not culpable were at least objectionable, and was used in such a manner as to render his continued employment incompatible with the freedom and independence of action which the Lieutenant-Governor ought to maintain.

I am not disposed to controvert but rather to adopt your opinion, that various circumstances had concurred to place in the hands of Mr Montagu a degree of personal authority, which if not balanced by great energy and decision in his immediate superior, would probably tend to invert the relations which ought to subsist between them. But I find no reason to impute to Mr Montagu the blame of having acquired this power by any unworthy means or dishonest arts; or of having employed it for any sinister purpose, or in an unbecoming spirit.

³ 9th Feb., 1843.

2nd. -- It is represented that you overruled Mr Montagu's advice in the case of Dr. Coverdale. Mr Montagu manifested his discontent by words and by a course of conduct unbefitting his position and yours, disrespectfully intimating that the zeal which he had till then exhibited in the performance of his duty would be relaxed; and carrying that intimation into effect under such circumstances as to justify the belief that it was his design to embarrass you, by suddenly exposing you to what he esteemed insufferable difficulties.

I am not entirely able to acquit Mr Montagu of having, in reference to Dr. Coverdale's case, employed some language which you not unnaturally regarded as a menace, or of having ceased to render you his efficient services in the same cordial and zealous spirit which, till then, he had been accustomed to evince towards you. It may be difficult to condemn a public servant who faithfully and ably performs whatever lies within the strict range of his duty, for not advancing further and yielding the aid which public spirit would prompt, or which a stronger personal regard for his superior would suggest. But the abrupt abandonment of a cordial co-operation for a service confined within the exact limits of positive duty may be the subject of a legitimate reproach, and from that reproach Mr Montagu is not, I think altogether to be exempted.

3rd. - Mr Montagu is charged with having made an improper use in the course of these proceedings of the name of a lady the most intimately allied to yourself.

I pass as rapidly as possible from such a topic, confining myself to the single remark that the imputation does not appear to me to be well founded.

4th. The next ground of accusation is Mr Montagu's neglect to take proper notice of articles insulting to yourself and your family, which appeared in a newspaper established under his auspices and for which he had obtained your patronage, and his having by his conduct given countenance to the opinion that he had some personal connection with these injurious paragraphs.

After fully weighing every part of this case, I entirely acquit Mr Montagu of all connexion with the offensive articles in question, or with the authors of them, or of having done anything to promote such publications, or having omitted todo anything which, from his position in reference to yourself and your government, might reasonably have been expected of him to prevent and discourage them.

5th You^r complain of the language addressed by Mr Montagu to your private secretary and to yourself, on the subject of these newspaper paragraphs, as having been wanting in the respect which it was his duty to observe towards you, and as having, in one instance, conveyed an insulting imputation on your credibility.

On this part of the case, also, I think that Mr Montagu is entitled to be entirely acquitted of blame. He did indeed make use of an inadvertent expression in one of his letters to you, but the frankness and earnestness with which the error was acknowledged, and with which your forgiveness was solicited, seems to me to have been an ample atonement for an unfortunate selection of words; for such, ~~xxxxx~~ and not any intentional insult, was the real character of the offence.

6th It is imputed to Mr Montagu that he made an improper appeal against your suspension of him to the public at large, through the local newspapers , at the very moment when he was contemplating a return to this

country to prefer his appeal to myself.

I think that he has fully exculpated himself from this accusation.

Finally you represent that Mr Montagu authorized the expenditure of large sums of public money in erecting the tower and spire of a church, not merely without your authority, but with a studious intention of keeping you in the dark on the subject.

There again, I think that Mr Montagu is entitled to be completely absolved of the fault imputed to him. He had no notice of the charge before leaving Van Dieman's Land; but he has since repelled it to my entire satisfaction.

The result of my consideration of the whole subject is, as you will see, to relieve Mr Montagu from every censure which impugns the integrity or the propriety of his conduct while I am compelled to admit that the circumstances of the case are such as to render his restoration to his office in Van Dieman's Land highly inexpedient. It was therefore gratifying to me to have it in my power to offer him an equivalent, which, while it would make my undiminished confidence in his disposition to render effective public service, would direct his talents to a field of labour in which they could be exerted without the inconvenience which must attend his resumption of his duties as Colonial Secretary at Van Dieman's Land.

I offered for his acceptance the vacant office of Colonial Secretary at the Cape of Good Hope, and he has cheerfully accepted it. It cannot be too distinctly understood that Mr Montagu retires from the situation he has so long filled with his public and personal character unimpaired, and with his hold on the respect and confidence of Her Majesty's Government undiminished.

I am not aware it could answer any useful purpose to enter more fully into the merits of this protracted controversy. But, reluctant as I am to employ a single expression which is likely to be unwelcome to you, I am compelled to add that your proceedings in this case of Mr Montagu do not appear to me to have been well-judged, and that your suspension of him from office is not, in my opinion sufficiently vindicated.

I have the honour to be, Sir,

Your most obedient humble
servant,

Stanley.

To Sir John Franklin, Etc.

As Montagu's friends and relations agreed, the least that could be said of the Despatch was that it presented an unparalleled instance of favour.

Franklin immediately sent his conditional resignation; but before it reached England, his successor arrived and Franklin's recall was published in the newspapers four days before the Lieutenant-Governor received official notice of recall. The Despatch recalling Franklin was by accident or design allowed to fall into the hands of Mr Montagu who sent it straight to Hobart Town in a fast ship. It arrived here and was shown at the Derwent Bank and published in a Hobart newspaper. So that the first intimation Sir John received came from the Van Dieman Land's Press. Lord Stanley must bear the entire blame for this. To the baffled rage of his opponents, Sir John refused to retire until he received official recall. Indignation and bewilderment reached its height when Sir Eardley-Wilmot⁴ arrived without the despatch. Four days later, by a slow ship the Despatch recalling Franklin at last arrived.⁵

Franklin explained that he did not instantly throw up the Government when he received Despatch 150 in January because he would not surrender the interests and the welfare of the colony to his personal feelings. The Despatch naturally injured his feelings, especially the equivocal mention of Lady Franklin's name.

Stanley's attitude arouses much questioning. When the new Colonial Secretary, Mr Bicheno left England in December 1842, Franklin's recall had been decided upon, yet Bicheno brought no communication of the impending change.

Lady Franklin writing to her sister on May 23rd 1843 related how she had extorted a reluctant admission from Mr Bicheno of Franklin's intended recall. A crossed out section of her letter just reveals the words "In all this I see nothing but the wily" --- then two pages are missing. Under a pasted over section are the words "convict question proves how much he (Lord Stanley) has been Montagu's dupe. He has made Lord Stanley believe things glaringly and notoriously false, probably so and to be proved so by documents and words. Yet Lord Stanley quotes them as facts on the high authority of the late Colonial-Secretary-----" And later - "Mr Bicheno said a week after his arrival that he was thoroughly convinced from the most unprejudiced sources that Sir John's removal of Mr Montagu was an act necessary for the good of the Colony. He at the same time expressed his belief that they had made use of me merely as an instrument to injure Sir John and when he heard of their showing me their papers and requesting my advice and opinion, he said it was done as a snare."

Lady Franklin's half obliterated reference to the convict question is made clearer in Sir John's account. He felt that the despatches brought by

Bicheno in April 1843 were pervaded by Montagu's influence on Lord Stanley. Mr Montagu's arrival in England coincided with an urgent need felt in Downing Street for the advice and information of a practical man acquainted with the colony. Mr Montagu was therefore admitted into the utmost confidence of Lord Stanley.- Thus it was that the Governor's suggestions and descriptions of actual convict experiments were ignored in preference to Montagu's views. This was shortsighted of Stanley because Montagu was of the old school in colonial politics and biassed by his family interests. Lord Stanley suggested a new official "Comptroller-General of Convicts" and Captain Forster had private reasons for thinking he would be appointed. Franklin knew that this concentration of personal interest and official powers would be neither convenient or safe for the new Governor.

Another Despatch of April 1843 announced prematurely by Forster and his friends to the detriment of Government prestige, concerned the Macquarie Harbour expedition. Franklin was censured for apparently pardoning several convicts for becoming Lady Franklin's palanquin bearers. Franklin refuted the charge and forwarded Stanley the copy of Murray's Review containing the Despatch and also the announcement of the author's intention to publish the correspondence which had passed between Stanley and Mr Montagu on his late suspension. Whence were these interesting documents derived? Franklin asked Stanley.

West very rightly points out that reproaches were current on both sides - that to destroy or be destroyed was the usual choice of official war, and Montagu had certainly not been bred in the school where more generous maxims prevailed.

He had conquered and with natural exultation he circulated his side of the case after Lord Stanley's decision. More blame attaches to Lord Stanley. His duty was to care for the reputation of a governor whom he did not instantly recall.

When Mr Bicheno arrived in April, 1843, he brought with him under a cover, a bound folio book of 312 manuscript pages. The "Book" was delivered to Mr Forster who read a part and determined not to read any further while Sir John Franklin remained as governor in the Colony. The "Book" was passed on to Mr Swanston who, less scrupulous, circulated it extensively in the colony. The folio contained all Mr Montagu's findings on the late dispute and retains to this day an aura of unsanctity.

The documents were to be carefully concealed; there was to be no opportunity given of combating or disproving them - they were not even to be mentioned; but a conclusion was to be drawn from them and given to the public -- this, though some of them were false, many distorted and others misstated. One confidant declared to Captain Swanston that the book was unfit to meet the public eye and that another flung it from him with disgust at its treachery, its meanness, and the calumnious nature of its contents."

Mr Montagu revealed to the public of Van Dieman's Land that his chief line of defence with Lord Stanley had been this -- that he was the victim of Lady Franklin's hatred and she alone was the cause of his suspension. This is interesting in the light of their previous association. But Montagu's attitude is not inexplicable. He was a man with a dominating personality, conscious of his keen ability and driven by a boundless ambition. His association with the courteous, rather meek Sir John Franklin who in all his life had never raised his voice in anger,

stimulated his ambition to make himself the virtual ruler of the colony. Unexpectedly he found an antagonist of keener metal in Lady Franklin, a woman not necessarily of 'masculine' intellect, as West presumes, but one who was well educated, much travelled and used to expressing herself pungently and courageously in words or actions when she preferred. Montagu had not counted on the Governor's lady being shrewd and intelligent and energetic, throwing herself wholeheartedly into the life of the colony as its natural social leader and above all with a boundless devotion to her husband and his interests. At first he sought to win her interest and confidence; but her letters reveal her quick reading of his purposes, so in time he came to detest her. "A more troublesome, interfering woman I never saw; puffed up with the love of fame and the desire of acquiring a name by doing what no one else does."⁹ In the "Book" she is vilified as "a lump of vanity", an intriguing, dangerous, wicked woman who hated Montagu because he refused to pander to her desire of travelling about at the colony's expense. This had an unconvincing ring when one reads of the charities dispersed and of the development of whole districts at Lady Franklin's personal expense.

Altogether Lady Franklin's delinquencies in the 'Book' embrace a most comprehensive range of subjects -- from the establishment of a newspaper -- false of course -- to the countermanding of Mr Montagu's supply of plums and cabbages from the Government Gardens.¹⁰

The College, the new Government House and the despatches of which she is represented as the sole writer all find a place in the indictment. In case ~~if~~ any of these should fail, her general interference with Government comes in to supply the deficiency.¹¹

⁹ Mont. to Arthur. Dec. 12. 1841.

¹⁰ See V.D.L. Chronicle 11th Feb, 1842 and O.D. Vol. 1. 1841

¹¹ Narrative p. 62.

Montagu was clever enough to realize that his general charge of interference would be as difficult to disprove as to prove, and the more she supported Franklin as an efficient Governor's lady then the more open she lay to the charge. One section of the press of the day, in commenting on Sir John's Narrative, met the charge well. "Montagu has blended his complaints so intimately with the name of Lady Franklin, that there is scarcely a feature in the dispute in which they can be separated from each other. The high qualifications of that lady and the quiet disposition of her husband would naturally suggest the inference that her weight in the administration of affairs was considerable. However, Sir John may honestly deny subservience to the authoritative dictation of her ladyship, her talents, her virtue and her industry would render her powerful. But when we turn from general principles to specific facts we are convinced that her interference is rather assumed than demonstrated. The case of Dr. Coverdale when described by Sir John leaves no alternative but the belief of complicated falsehood or her ladyship's entire innocence. The complaint about the vegetables forms an instance of the petulance of an irritated mind; but cannot rise into the solemnity of an impeachment. ^{Franklin} Lady had a spirit too proud, a purse too copious, and displayed a munificence too extensive to permit a generous mind the momentary indulgence of unworthy suspicions respecting her conduct."

Franklin was absent in Launceston when the 'Book' came into circulation in Hobart Town. Its revelations dropped like sparks of fire upon the sun dried grass into the most "combustible of populations." Then there came a sudden veering about of opinions.

The colonists had read that it was by the vilification of a lady that Montagu boasted that he had achieved his own exculpation. Montagu in a letter to Turnbull in connection with Lady Franklin's negotiation for a reconciliation asserted that he made no pledge not to mention Lady Franklin's name to Lord Stanley. "To have done so would have been an act of felo-do-se as my whole case turned upon the fact of Lady Franklin's improper interference." Under the circumstances Dr. Turnbull had felt it his duty to make the disclosure. So now the public for the first time learned that it was Montagu's own appointed advocate that he had traduced and that the influence, represented to Stanley as all powerful and malignant, had been used to save him and had proved too weak for his purpose.¹³ So the corner-stone on which Montagu had based his defence, now fell on his colonial reputation and crushed it. Thomas Young, a keen supporter of Montagu's wrote to Henslowe -- "The utter baseness of the man in having acted so under the circumstances is beyond all comment."¹⁴

Toward the end of May, 1843, Franklin stepped in and demanded the Book from Mr Swanston. He was refused because it was "a private communication!" Thereupon Mr Swanston took the precaution of removing the most offensive passages from the book.

Murray's Review valiantly attempted to reason away Mr Montagu's appeal for assistance to Lady Franklin. It admitted that he did employ Lady Franklin; but that he sent her on an errand of peace; that she was authorized to bear an office of pardon to her rebellious husband! "After this", exclaimed the "Examiner", "imagination must droop her wings and conjecture can accomplish no more."¹⁵

¹³ Narrative p.66.

¹⁴ July 13, 1843.

¹⁵ L'ton Examiner. July 12, 1843.

Captain Swanston had a very real object in making so general an exhibition of the 'Book'. Both Montagu and Swanston were the representatives in the colony of the mass of wealth centred in the Derwent Bank. The alliance of the Colonial Secretary was of utmost importance in supporting his influence. To gain general credence for the report that the power of the Governor was obliged to succumb to that of Captain Montagu would at once restore this influence.¹⁶

Franklin naturally wondered why Stanley accepted Montagu's statements as published in the 'Book'.

Either from a false sense of delicacy or from prejudice, Stanley evaded the matter of Lady Franklin's improper interference in the affairs of government. But as the whole case for Montagu turned on her behaviour and the resulting decision was for him, then Montagu must have been unchecked by Stanley in his imputations. Not only was Montagu exonerated from blame, he was praised, promoted. The tone of Stanley's remarks on 'Lady Franklin' in the Despatch 150 and later do not reveal gallantry or delicacy; but scorn and contempt - the asylum of weakness.

Franklin felt himself forced by necessity to bring forward Lady Franklin's name again. Numerous letters and records bear testimony to the strong bond of attachment between Franklin and his talented wife. Naturally he could not bear to see the relations of his domestic life insulted. Lady Franklin too felt the slander keenly. She was not aware that when coarse abuse was connected with her name, scarcely anyone thought of its object while everyone laughed at or despised its author."¹⁷

¹⁶ See Hobt. Advertiser 20th June, 1843.

¹⁷ L'ton Examiner Nov. 22, 1843.

So Franklin gave a more detailed account of Lady Franklin's relations with Mr Montagu to Lord Stanley. He refused to deny that Lady Franklin took a deep and anxious interest in the colony which she knew was the object of his own daily solicitude. It was natural too for Franklin to avail himself of her help at all times. There was one period when some domestic aid was imperative owing to his want of a private secretary. He dilated upon the work done by Lady Franklin in education and the reformation of female criminals and reminded Lord Stanley that that gentleman had used her writings on the convict system.¹⁸

But it was an unequal contest -- So far from London, Franklin felt his impotence. His sense of injury grew. As further facts were recorded, the history of the 'Book' sank into subordinate importance. The injury inflicted can be explained by personal resentment. As time went on, Montagu himself began to have serious misgivings as to its effectiveness. He had cast aside his habitual caution in the triumph of momentary success. In this case, truth was in the end all powerful. "Mr Montagu has shown that the character long since attributed to him was neither a false one in his youth, nor abandoned in his manhood."¹⁹ His biographer Newman ignored this reference. Taken all in all the 'Book' was a boon rather than a mischief to the Franklins. Not only did it draw forth the facts that placed Sir John's magnanimity before the public; but it also removed the veil from that negotiation which Montagu was anxious to cover. It not only cleared Lady Franklin, it excited in Franklin's favour, the feelings of Englishmen which always take fire at oppression. As well Sir John was released from the odium and humiliation of Lord Stanley's judgment, to claim the support and judgment of the public.²⁰

¹⁸ Narrative p.73, 74.

¹⁹ Hobt. Advertiser 25th Oct. 1844.

²⁰ Litchton Examiner. 27th Dec. 1845.

When Sir John Eardley-Wilmot arrived, the Franklins found they were unable to get a boat for two months so, still under the flail of the scurrilous 'Review', they left Government House and stayed with Major Ainsworth. They left Van Dieman's Land 4th November, 1843. by the "Flying Fish" -- taking with them numerous addresses from the fickle colonists, all stressing the excellence of their private life and qualities. "Sir John Franklin's administration undoubtedly outlined unanimous applause; but he has relinquished his authority with a stronger hold on the general esteem than is usually the lot of governors."²¹

On his return to England, Franklin made several attempts to gain written exoneration and some comment on his labours from Stanley. Stanley consistently refused to give him this satisfaction, answering Franklin's clear requests equivocally and coldly. The warmest comment evoked by his seven years of arduous government was, "as far as I know of you, you seem to me to have been a honest man and to have done your best." It was a grudging admission unworthy of a Secretary of State. As Franklin stated, it would have been easy for Stanley to have removed the necessity for "the Narrative" -- he had the means of counteraction of the past in his hands. He lacked the nobility of character that compels our admiration of Franklin whatever his faults of weakness.

Acquiring power at an early period of life, and possessing eminent abilities, Lord Stanley had accorded himself ~~an~~ an estimate so high that a second thought or a candid retraction were improbable. His conduct in its bearing on the dignity and authority of Colonial Government was reprehensible and even contemptible. The Colonial Press could write with conviction on such occasions that "The Ministers of the Crown have shown themselves incapable

²¹ *Edin'gton Examiner* Nov. 22., 1843.

of comprehending colonial interests."²²

Looking back on the controversy it seems that the game was not fairly played because the odds were not even. It is not enough to dub Montagu on ^{one} the hand as clever, unscrupulous, dishonorable, untruthful and on the other, Franklin, warm hearted, honorable, trusting, idealistic. Each struggled according to his particular code. They were trained in different schools of colonial thought, so that their aims and actions could never be reconciled.

A contemporary summing up of the situation, a wise commentary that still holds good, appeared in the Address to Sir John Eardley-Wilmot.

"When the heat of partisanship has subsided, your immediate predecessor will be reckoned among not only good men but useful governors. That he ever willingly sacrificed the Public interest will cease to be credited. The disinterestedness of his conduct is best attested by his purse; the character of his mind, by the unimpeached rectitude of his life. But Sir John Franklin was placed by fortune over a colony not suited to his flexible and quiet disposition and habits ---- The government of this colony ^{is} not a bed of roses. Even an able servant may be pernicious through the facility of a superior; and qualities which adorn in private life may weaken the arm which ought to hold the helm. It has been said that the confidence of your predecessor was first engrossed and then betrayed --that he has been merely an automaton chess-player moved and worked by persons more crafty than himself. So we wish that you may be Governor!"²³