

A sense of duty

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The Clerkes
An Anglo Irish Family in Colonial Tasmania

by

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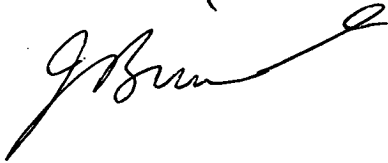
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Declaration:

This Thesis contains no material which has been accepted for a degree or diploma by the University or any other institution, except by way of background information and duly acknowledged in the Thesis, and to the best of the Candidate's knowledge no material previously published or written by another person except where due acknowledgment is made in the text of the Thesis.

A handwritten signature in black ink, appearing to read 'J. Briscoe', with a long, sweeping horizontal stroke extending to the right.

Jeffrey R. Briscoe

ABSTRACT

The story of an Anglo-Irish family the Clerkes concentrates mainly around Alexander Clerke (1804-1877) and his wife Frances Gretrude Sweetnam (1805-1881) who freely immigrated from Southern Ireland to Van Diemen's Land in the late 1820's.

The Clerkes were from a comfortable professional, well connected (middle class rather than gentry) family from Skibbereen, County Cork. Alexander Clerke trained as a engineer and an elder brother, Thomas became a Judge and lawyer in New York, USA. Another brother, Dr Jonathan migrated with the newly wed Alexander and Frances Clerke in 1828 on the *Letitia*.

Mrs Frances Clerke arrived alone following the ship wreck of the *Letitia* after gaining significant help from British Government. The Clerke brothers returned to Europe to claim compensation. Mrs Frances Clerke was briefly the matron of the Female Orphan School in Hobart. Dr Jonathan Clerke became the first assistant Colonial Surgeon at Westbury but by the late 1830's had moved to Victoria where he prospered and returned to Ireland.

The Clerkes initially gained land grants of 2000 acres. They built up large land holdings and their wealth grew by grazing sheep and cattle, cultivation of the land as well as buying and selling of property, lending out money and leasing out of their many farming properties. In looking after their own interests significant interactions with convict servants and their fellow, often Anglo Irish, settlers occurred.

Alexander Clerke in the 1850's became prominent in local and colonial public affairs, in and out of Parliament. He had long served his class very well, being appointed a Justice of the Peace in 1837. Clerke was involved with the great political movement of the time - the issue of the transportation of convicts. Whilst at first a pro transportationist, he changed his mind. His parliamentary career didn't include a ministry but it was eventful and influential variously serving in each house beginning in 1854 and up to 1874. A highlight was the Council

extension bill. Another highlight was when he was asked, but declined to form a ministry in 1872. Railway issues were very significant throughout his political career.

In contrast to their successful business and public life the Clerkes suffered many family tragedies. They had ten children, nine (4s 5d) surviving to adulthood. Their eldest son William (1832-1896) suffered from religious mania. Their second son John Sweetnam Clerke (1835-1874), a master mariner died tragically. The children, maybe as expected, married into the colonial aristocracy. A daughter Ellen Elizabeth(1839-1875) became the wife of R. J. Archer, dying at the age of 36. The third son Thomas Moriarty Clerke (1837-1891) whilst a youth nearly died in a Longford flood.

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Abbreviations

ADB	<i>Australian Dictionary of Biography</i>
AOT	Archives Office of Tasmania
CC	<i>Cornwall Chronicle</i>
LE	<i>The Examiner</i>
HTC	<i>The Hobart Town Courier</i>
HTG	<i>Hobart Town Gazette</i>
THRA	<i>Tasmanian Historical Research Association Papers & Proceedings</i>

Introduction

*Strange is the Destiny of Man, In every age and land, but not so strange a course e'er ran,
as Erin's Patriot band*¹

The impact of the Anglo Irish settlers on the institutions, attitudes, living patterns and other aspects of the early European history of Tasmania has largely been neglected to date. They had a significance greater than their numbers. This lack of attention to their endeavours is not confined only to the island colony. That the Irish, convicts in particular, had a significant impact on our evolution as a people by shaping our attitudes to authority, protest and so on, are well established in the Australian context. On the other hand the Anglo Irish, by definition, were generally supporters of established British authority. "Anglo-Irish are neglected but crucial factor in the colonising process" has been a recent observation.² Others have thought the Irish experience made settlers particularly suitable for the colonisation process as they were used to an interventionist centralised government. And as the years went on Irish reforms in areas such as education and police were models for the Australian colonies.³

Up to 1850's, there were considerably more Irish convicts than Irish settlers in Tasmania. At least fourteen thousand Irish convicts⁴ had been sent out mainly, after 1840. In contrast the number of free Anglo Irish settlers would run only into the hundreds. The most significant Anglo Irish prisoner was William Smith O'Brien⁵ but this was an exception, as generally the convicts were poor and catholic. The number of free settlers with capital attracted by large grants of land had peaked by the beginning of the 1830's. So generally it is the Anglo Irish that arrived prior to the 1830's that are of most significance in this story.⁶ Only a few Irish prisoners made their mark on Tasmanian colonial politics.⁷ This again contrasts with the

¹ R.Davis (Ed), *To Solitude Consigned, The Tasmanian Journal of William Smith O'Brien*, P.58

² O'Farrell, *The Irish in Australia*, P. 94

³ Oliver MacDonagh, *The sharing of the Green*

⁴ John Williams, *Ordered to the Island*, P.158

⁵ R.Davis (Ed), *To Solitude Consigned*, Op Cit., ADB vol 2

⁶ Sharon Morgan, *Land Use in Van Diemen's Land*; Roland Walpole Loane was an early Anglo Irish representative, he had arrived in 1809 was the son of Richard (1740-1815) a doctor at Bandon Ireland [Derrick. Loane, *So soon Forgotten*]

⁷ James Gray was the most successful [John Williams, *Ordered to the Island*, P.152]

free Anglo Irish as by the 1840's they were totally integrated into Van Diemen's colonial life in key positions; in the public service; in business; in the professions and in parliament. Those who were successful and there were many in that category, had extensive agricultural and pastoral pursuits. There were also Irish enclaves of settlement, in the north particularly around Westbury and near Avoca.⁸ Whilst they didn't form any distinctive group in parliament, by the 1870's, Irishmen such as Alexander Clerke, were significant players and a good exemplar of his class.

So why did they come? The Anglo Irish in the view of one writer were a, " mixed breed in decline and increasing alienated in their own Ireland, where they were seen as an English garrison...". They also were linked by blood, marriage, friendship and upbringing and this was continued to a large extent in Tasmania. These networks of Anglo Irish are significant in the Clerke story as shall be seen. O'Farrell's classification of the Anglo Irish is useful. They were not one group but several, a compound, with significant divisions between landlords, professional men, the military and navy, administrators and bureaucrats and with significantly various motivations.

"The landlords sought to carve out and possess quiet estates, the lesser gentry sought creative employment, and the public servants and administrators sought to run efficiently the corner of the liberal Empire".⁹

All these divisions of free Anglo Irishman can be seen to have existed in the Van Diemen's Land from the 1820's. The roll call of the landlords would include William Talbot of *Malahide* who arrived in 1820¹⁰ and William Bryan in 1824 from Dublin. Bryan claimed a capital of 4000 pounds and established by grant and purchase *Cluan* and *Glenore* which by the 1830's measured 11,000 acres.¹¹

The military were well represented. All the Fenton brothers from County Sligo had been captains in the army and their father had been a high sheriff. Michael Fenton had arrived in

⁸ Settlers at Avoca include the Grey families

⁹ Patrick O'Farrell, *The Irish in Australia*

¹⁰ William was youngest son of Richard Talbot of Malahide castle, County Dublin:ADB vol 1

¹¹ ADB vol 1

1828 and played a significant role in parliament.¹² Captain Peyton Jones¹³ arrived in 1829. Jocelyn Henry Connor Thomas had arrived in 1824 and his brother Captain Bartholow Boyle Thomas in 1826. Both had studied at Trinity College Dublin.¹⁴ Commander William Moriarty, a member of an extensive naval family from County Kerry, arrived in 1829 with the Clerkes. There many others including Peter Lette, son of a Dublin barrister.¹⁵

The Protestant clergy include William Henry Browne and Robert Roland Davies¹⁶. The genial and liberal Davies, another Trinity College graduate had been encouraged to emigrate by enthusiastic letters from Brown. Brown had entered Trinity College to study medicine but changed over to theology.¹⁷ Dr Cornelius Gavin Casey was born in Liverpool of Irish parents and after studying at Trinity College, arrived in VDL in 1833.¹⁸ Drs Jonathan Clerke and Marcus Loane were other early Irish medical representatives of whom more will be said. Other Irish with capital included Paul Minnett (1776-1840) who arrived in 1825 and called his grant, located near Liffey River *Hibernia Park*¹⁹; Samuel Munce who settled on 1600 acres in 1831 near the Meander called his grant *Drumreagh*.²⁰ Smith O'Brien correctly but rather priggishly observed, in reference to the Irish Von Steiglitz brothers, Frederic, Francis and Robert who had arrived in 1829 that "They belonged to that class of yeoman farmers who are now are proprietors in this country" and added generally "many of them[the settlers] are of the yeoman class but in the course of a generation or two will assume the pretensions of aristocracy."²¹

How did Alexander Clerke fit in with this general pattern of Anglo Irish activities? The Clerkes' social and economic position in Ireland was high. He had trained as an engineer and along with other relatively prosperous members of his family group fitted into the

12 Michael Fenton (1789-1874) was a influential member in the LC from 1840's. He was one of the 'patriotic six' ADB 1

13 Von Stieglitz, Karl R, *Then and Now in Old Westbury*, P.15

14 Captain Bartholow Boyle Thomas was the Colonial Treasurer dismissed for misappropriation of funds, Both brothers settled in the Port Sorell Area

15 Von Stieglitz, Karl R, *A History of Evandale* P.85

16 R.R.Davies ADB vol 1

17 W.H. Brown was b1800 Mallow, the eldest son of Henry Browne Barrister of Ballinvolear, County Cork (THRA Vol 13/4). P.129 Browne's son's widow Mrs Justin McCarty Brown was known to the author's maternal grandmother Winsome Astley Gerrand when she was boarding with her in Launceston claiming the Brownes to have brought the Clerke brothers over from Ireland. Whilst this is clearly not true there a certain confluence of the two families [Clerke family file author].

18 F.G Green, *Cornelius Gavin Casey*, THRA 9/1, P 16-27

19 McKay, Anne (Ed), *Journals of the Land Commissioners for Van Diemen's Land 1826-28*; CSO 1/246/5955

20 Von Stieglitz, Karl R *A Short History of Deloraine, with notes on the Surrounding District*, Author, 1950, P. 36

21 R.Davis, *To Solitude Consigned*, Op Cit P.214

professional and business class in Ireland. Clerke did not seek official colonial appointments in Tasmania. His wife had had a suitable education to gain easily a position as Matron at the Female Orphan School in Hobart. But this was only a temporary posting as the Clerkes had arrived from Ireland with sufficient capital to obtain land by grants and considerably more by purchase in northern Tasmania. Early land acquisition, other agricultural pursuits, and financial activities (often involving other Anglo Irish families) formed the basis of a fortune. Alexander Clerke had time to serve as a Justice of the Peace at Westbury and then Longford; and for a considerable extended period, was an influential elected member of parliament for various northern electorates in the house of Assembly and the Legislative Council.

Thus there were many ways that the Anglo Irish family of Clerkes in Tasmania would quickly assume the 'pretensions of aristocracy'. In telling their story a roughly chronological approach has been adopted. Firstly a consideration of the Clerkes' background in Chapter 1 will demonstrate the social and economic position the family occupied in Ireland. The voyage to Australia and early colonial appointments and how these impacted on the Clerkes' life will be the topic of Chapter 2. How the fortune was made and maintained will be considered in Chapter 3. Some ways Alexander Clerke confronted the inevitable tensions, and fulfilled his class obligations in a frontier society will be explored in Chapter 4. And what motivated Alexander Clerke to pursue with much energy and time, political roles will be considered in Chapters 5 and 6.

Chapter 1

Skibbereen

It is recorded that in 1699 that the burying fee for the poor in the parish was the second best suit of clothes of the deceased.¹

Alexander Clerke and his wife Frances Gertrude Sweetnam were from Skibbereen, County Cork, in southern Ireland. Whilst no record of their respective births has survived, their marriage details are recorded in June 1828 in the Church of Ireland parish record for Abbeystrewry.² This record is the only hard evidence that survives about their life in Ireland (contrasts with the many details about their lives in Tasmania). The marriage took place just prior to their departure for Van Diemen's Land in 1828.

The first question one needs to ask - is why did they migrate? One unfortunately can here be only speculative as no evidence in the form of contemporary letters, memoirs or diaries, apparently from the family or elsewhere survives. Generalisations from other family migrations of the time and the social conditions could be made but before that is done, one will try to build up a picture of life in this part of Ireland and what to strata of society the family belonged.

Skibbereen, nowadays a small town, with narrow streets, lined with two story stone and brick buildings, with an obvious prosperity from the past, lies on a hilly bank on the southern side of the river Ilen. Its site, and the country around it for miles is a green and well-watered area with an outlook not unlike many districts in Northern Tasmania. Anciently Skibbereen formed the domain of Gortnaclough - a fief belonging to the great sept of McCarthy-Reagh of Kilbrittain Castle. Skibbereen contains the Church of Ireland parishes of Abbeystrewry and Creagh. The portion called Bridgetown is in the parish of Abbeystrewry (Abbey of the Stream), but the main portion of the town is in the parish of Creagh.³ Skibbereen was known in the eighteenth and nineteenth centuries as a seat of the provision trade - large quantities of butter, corn, pigs, and cattle being annually disposed of in its weekly markets and fairs. It was well situated for trade

¹ George Bennett, *The History of Bandon and the Principal towns in the west Riding of County Cork*, P.386

² Microfilm of Abbeystrewry parish records in Public Record Office Dublin

³ George Bennett, *Op. Cit.*, P.385, see also *Beauties of Ireland* vol 2 P.465

of this kind, centred in a wide district and only two miles from where the river is navigable. It had an extensive trade there in the manufacture and sale of woollen cloth. This remote town did advance economically in the last half of the eighteenth century.⁴

The Rev. H. Townsend in 1810 described Skibbereen as

without patronage or encouragement has become, from the mere circumstances of its situation, populous, thriving & wealthy... Here are bolting mills, porter & beer brewing, extensive distillery of Whiskey

Half the town belongs to Will Wrixon Becher Esq and half to Samuel Townsend and Samuel Wright. That part on the west side, called Bridgetown is the estate of Richard Boyle Townsend, Esq., who is also proprietor of the land on the north side of the river...Skibbereen contains 624 houses. As most of the houses are small, 8 seems a full allowance for each. Its inhabitants may be computed at 4992⁵

It is clear from numerous land deeds (more about these latter) and other accessible public records in Ireland that in this rural and commercial environment that interacted with outside world the Clerkes and Sweetnams were part of the prosperous strata of that society of which Rev Townsend described in 1810. Not quite it appears in the same league as the Becher/Townsend/Wright circle. But certainly their families were part of the prosperous elite. Why was that?

One could start by looking at their family background and roots and secondly briefly outline how the family intertwined with the history of Ireland. The first task is easier than the second. However the actual tracing of direct early ancestors of Alexander and Frances Gertrude has been problematic. The Church of Ireland(Protestant) parish records of Abbeystrewry survive for the period 1780's onwards. The records of the parish of Creagh do not. Early Catholic

4 (Rev) T. Townsend, *Statistical Survey of the County of Cork*

5 (Rev) H. Townsend, *Ibid*, P.336, addenda P.78

parish records of the area are nearly non-existent. However a few key wills (particularly of an uncle of Alexander, Thomas Clerke d 1840) have survived in unlikely places and consulting the land records and other sources in Dublin have indicated with some certainty the immediate ancestors of Alexander Clerke and Frances Sweetnam, but have not established ancestral links with the early Clerke and Sweetnam families in Ireland which are now briefly considered.

The surnames Clarke and Clark were common in Ireland. Furthermore the surnames Clerk and Clerke are often, even today, transcribed in the alternative spellings. So we have to rely only on random references to Clerkes. In an History of Bandon it is noted that in 1588 Beecher brought over from England appropriately 91 families including Clark and Sweete.⁶ These families may have been the ancestors of both the Clerkes and the Sweetnams.⁷ But there are other possibilities as in 1649, a James, John and John Clerke occur in a list of officers that served Charles 1/11 in wars of Ireland. There is a reference to an Edward Clerke and a James Dwyer Clerke signing a petition during the defence of Clonakity in 1641. A Nicholas, a James, and a John Clerke were granted land in 1649.⁸ This particular period of Cromwellian settlement in Ireland was in the opinion of one writer

instead of settling, unsettled everything; laid deep and permanent the foundations of class hatred and sectarian animosity; still further embittered the relations between the two races; and founded a land system which has been the despair of governments.... In spite of all the laws, the English planters took Irish tenants, employed Irish servants, learnt their customs, spoke their tongue, embraced their faith. The weird fascination of the Irish nature was again potent with the stranger; he was attracted, absorbed, assimilated..⁹

⁶ *George Bennett, Op. Cit*

⁷ An Edward Clerke was the Dean of Cloyne (1615-1640). He left a will dated 6 May 1635. Edward Clerke's wife was named Elizabeth and they had two sons Edward and John. An Edward Clerke gained a BA in 1638 from Dublin University.(Public Record Office Dublin)

⁸ John O'Hart, *The Irish and Anglo-Irish Landed Gentry*

⁹ Rev. E. A. D'Alton *History of Ireland*, Vol 4

In the Census of Ireland 1659 some Clerke and Sweetnam families are noted as planters of large establishments in Cork county.¹⁰ The first direct ancestor of Alexander Clerke that we have good documentary evidence of is Timothy Clerke, his grandfather. Timothy (still alive in 1782), was a merchant (and possibly a soldier) of Skibbereen, presumably quite prosperous, as he sent two of his sons to Scotland to pursue medical studies. Tim Clerke's wife appears to have been Jane Young, daughter of John Young.¹¹ Tim Clerke and Jane had, at least four sons, Thomas (1761-1840), Dr Jonathan Clerke (1764-1838) who practised medicine in nearby Bandon and sired many prominent army officers for the British Crown¹², Dr St. John Clerke (1769-1840, Skibbereen) and William Clerke, a corn merchant and miller (1766-1820), father of Alexander.¹³

From at least the middle of the eighteenth to the end of the nineteenth century the Clerke and Sweetnam families were prominent land proprietors via long term leases and many members were professionals, merchants and the like. They appears just at the edge of the Protestant ascendancy of the Skibbereen district. The upper stratum of rural society during this period in Ireland was the Protestant ascendancy to which most of the large landowners belonged. Some members of the Irish ascendancy have been described as vigorous and enterprising, but too many were apparently content with the slothful exploitation of their privilege and lived dissolute and useless lives. In addition many social, economic and demographic pressures were giving expression in Protestant-Catholic violence.

In County Cork the Clerkes and Sweetnams, when Alexander and Frances were growing up, were probably more bourgeois than Protestant ascendancy but names that occur in the family

10 John O'Hart, Op. Cit., The census in 1659 At Kilkerrawmae, 34 people (two English, 32 Irish) were at an estate headed by Edward Clerke. In the parish of Rathbury at Carrigrow & Killeine, 18 people (two English and 16 Irish) headed by Adam Clerke. In the parish of Dromaleage, a place called Dromonada 3 greeves, 4 people (2 English, 2 Irish) headed by a Matthew Sweetnam. In 1688 a Thomas Clerke was granted an estate in Ireland

11 MLB 1761 [PRO Dublin]Tim 's father may have been Dr Thomas Clerke (bc 1741-1818) or another Thomas (d. 1778). See family charts in appendix Clerke Family file with author

12 Dr Jonathan Clerke of Bandon in 1780 matriculated from the University of Glasgow "Filius secundus Timothei de Carbery Armigeri in parochia de Creagh in Comitatu de Corke in Hibernia"[Matriculation Albums of the University of Glasgow 1728-1858] and studied then at Edinburgh University being a graduate in 1784 Thesis "De Canero"

13 See family charts in appendix , Clerke Family file with author

trees suggest more than a touch of old Irish and catholic gentry families. One scion of the Clerkes from Skibbereen that were later to be described as a distinguished intellectual family included two women writers of distinction Ellen and Agnes Clerke and their brother Aubrey St John Clerke a noted London lawyer (They were second cousins of Alexander). That branch, at least, of the Clerke family in Skibbereen, was catholic.¹⁴ Down the south of Ireland many of the catholic gentry had kept some of their original lands and some marriage mixing of the Protestant and Catholic gentry appears to have occurred.¹⁵ There is some oral history that there was a significant religious difference in Alexander Clerke's immediate family in Ireland.¹⁶ Alexander and his family were active members of the Church of England in Van Diemen's Land as laity¹⁷ and some of their children grew to be very passionate about their Protestant faith¹⁸.

A number of leases and other deeds remain in the Dublin Deeds Registry outlining other family relations of the Clerke family of Skibbereen intertwined with their land dealings.¹⁹ The first lease of interest dates from 1746 and the Thomas Clerke mentioned may have been Alexander's paternal great grandfather. The mention of a Tim Carty in this deed may not be altogether a coincidence!²⁰

A lease from 1796 indicates the Clerke association with **Coronea**, the name the Clerkes gave to their first property in Van Diemen's Land at Hadspen

[A lease from John Dennis of Dublis to Thomas Clerke of Skibbereen] that plot of the land of Derliss called **Coronea**... yearly rent of one peppercom.. witnessed by Corns Crowley of Bridgetown, Hatter and William Clerke, Gent²¹

14 Ellen, Agnes, Aubrey St John children of classic scholar St John Clerke, all were catholics Times Obituary 28 Dec 1923 of Aubrey [Swanzy Papers 18/548 Church Library Braemore Park Dublin]

15 private communication with Genealogical Office 2 Kildare St, Dublin

16 private communication with Mrs Mary Clerke 1987, Melbourne

17 Meeting of Laity CC 16 Aug 1851, LE 13 Aug 1851, CC 6 Sept 1851

18 Alexander Clerke jnr, Caroline Clerke, Kate McCarthy Clerke letters in Weston Papers QVMAQ

19 see Appendix A for some transcriptions and/or abstracts of sample deeds.

20 Transcript of deed in appendix A, photocopy with author

21 See appendix A deed 324773

Why the rent was only a peppercorn for this plot is impossible to determine but it could have been an unknown contra deal. Part of *Coronea* is called "the glen of the handsome woman". *Coronea* in Irish is "Aedh's monumental pile"²². It appears that Alexander Clerke still had a part interest in a farm on this Irish *Coronea* property when applying for an additional land grant in VDL in 1830.²³

William Clerke, father of Alexander, on his death was described in 1820 as of the 'Skibbereen Mills' which suggests he possessed a extensive enterprise.²⁴ His widow Helen survived him and presumably is the Mrs Clerke²⁵ that is listed in a directory of 1824, under the heading 'Nobility, Gentry & Clergy'. This listing included Charles Clerke Esq Bridgetown, Mrs Clerke, *Cloverhill* and Mrs Sweetman, *Mardyke*. The 'Physicians' were John Clerke and Alexander McCarthy of North Street. Under the heading 'Corn Merchants and Millers': were "Thomas Clerke and Co. Skibbereen Mills". The occurrence of a Dr Alexander McCarthy in this same directory, a brother maybe of Mrs Helena Clerke, speculatively suggests the origin of Alexander Clerke's given name.²⁶

No record of Alexander's or Frances's education has been found.²⁷ Whilst it would have been very unusual for girls to be sent away to school, Alexander's early education may have been similar to his eldest brother Thomas William Clerke of which more is known. T.W.Clerke was originally destined for a life in the army. He was born at Castle Townsend, a small coastal town

22 George Bennett, *The History of Bandon and the Principal towns in the west Riding of County Cork*,

23 rent from Farms called *Coronea*, *Colosothra*, *Lahanagh* in Cork and stores in Skibbereen CSO1/401/file 9056

24 William Clerke (c1766-1820), Alexander's father was the owner of the *Cloverhill* Mill (suggests why Clerke called a property of his *Cloverhill*) in Skibbereen. William and Helena McCarthy were married in 1799. Their first born, of at least six children was Thomas William Clerke(1799-1885), later to become an American lawyer, writer and Judge, and a resident of New York City for fifty years. Other children of William and Helena include Dr Jonathan Clerke(-1869 Ireland), Eliza A.(-1830), Helena(c1814- 1837), John (c1802-1832), Alexander (1804-1877) and William.(see genealogical charts in Appendix) One family story that has lasted to the present, is that a McCarthy male changed his name to Clerke around 1800 on marriage to a Clerke female and it was the condition of the marriage or inheritance. This may have occurred a generation or so before but this marriage may have sealed the hyphon. Certainly the hyphonated name McCarthy-Clerke, and that Clerkes are members of the Carty Clan are family traditions. Origins of these traditions are hard to pin down. At one stage, however, a Clerke family tree existed showing descent from Eogan Mohr, King of Munster [Clark Weston Papers RS 8/8, Clerke family history file with author]

25 William Clerke d 1820 left a will that was destroyed in the troubles of 1922 in Dublin [PRO.Ireland]

26 Pigor & Co Directory of 1824 (section on the Town of Skibbereen), National Library of Ireland

27 Clerke was described as having an good "English education" during an election campaign in VDL see chapter 6

a few miles to the east of Skibbereen, on 20 February 1800. His father procured a commission in the 28th regiment when Thomas was only six years old. After receiving a classical education in the Bandon Academy he went to London to enter the army but was persuaded by his friends to abandon that idea and enter law. Young Clerke was admitted to membership of the Inner Temple in London in November 1821²⁸. Another brother Jonathan Clerke²⁹ gained medical qualifications in Dublin and London in 1828. Stephen, brother of Frances Gertrude Sweetnam also gained medical qualifications at the same time and in a parallel manner to Jonathan Clerke.³⁰

Alexander Clerke appears to have had some training in the engineering area and this may have been done as a type of apprenticeship similar to his youngest son who would do so in the 1860's in Ireland.³¹ One of his obituaries mention a time spent on the St Lawrence river boats as a mere boy.³²

Frances Gertrude's father, John Sweetnam Esq.(-1824) was the Seneschal of Aghadown and Schull manors: and therefore President of the courts of Justice there. He may have also been also an excise Officer dating from 1763 and "a surveyor of Excise and a gauger" of Skibbereen in 1778 who had married a widow Mrs Donelan³³ in 1767 but more likely this is one generation back. A more certain early reference we have of him is in 1792 when John Sweetnam of Mardyke leased the lands of the Parish of Abbeystrewry to Thomas Baldwin of Skibbereen.³⁴ In 1809, John Sweetnam was described as "of the Paddock of Aghadown" in a lease where a John Long leased the lands of Kippagh called the "big Paddock of Aghadown". In December 1817 John Sweetnam and John Sweetnam jr both of Mardyke and others leased the Lands of the parish of Abbeystrewry to Balwin. An interesting transaction also occurred in December of

28 *New York Times* Obituary 16 Dec 1885

29 It appears that Jonathan was following the path of his namesake uncle Dr Jonathan Clerke(c 1764-1838) of Bandon.

30 Jonathon Clerke MRCS 18 April 1828, FRSC 8 Dec 1864, LRCP Edin 1859, LM Dublin Lying in Hospital 1828 [Pharr's Lives of Fellows, Pub 1930 copy consulted in London at Royal College of Surgeons]

31 Letters (1864-1872)from Alexander Clerke Jnr to Kate McCarthy Weston (his sister) in *Weston papers* QVMAG

32 *The Tasmanian* 24 March 1877 P.8

33 Private communication regarding Excise Board Minutes from Dawn Hutchins Bobry

34 another reference Gertrude's parents marriage was announced in the press on 28 December 1795 "Last Saturday sen'night at Hollyhill, near Skibbereen, John Sweetnam of Ross Esq to Miss Long." National Library of Ireland, Biographical Notices, Ffolliott MS 19, 172/2/ P.255-259

the same year from the Townsend family³⁵, when John Sweetnam Jr(son of John Sweetnam of *Mardyke*) bought the right to collect all "tythes"[sic] that arose yearly out of the towns, lands and marshes of Abbeystrewry, and other lands including *Coronea* for a term of 960 years at yearly rent of £100.³⁶ That a profit through a such an investment could be made out of collection of this contentious tax is of interest.

There exists much evidence of the confluence³⁷ of the Clerke and Sweetnam families. For example in 1821 Thomas Clerke of Skibbereen, John Sweetnam late of Akudown, but then of Markdyke and William Sandy of the town of Kinsale were named in the last will and testament of John Young late of Skibbereen and Dr Jonathan Clerke of Bandon. The will included reference to the "Half Poughland of Bandon, mills and liberties...". In February 1824, Frances' father John Sweetnam Esq died "On Saturday last at Mardyke House, Skibbereen after two days illness", a Cork Newspaper reported.³⁸

At the age of twenty three, in about April 1827 Alexander applied for permission to immigrate³⁹. The marriage of Alexander Clerke Esq and Frances Gertrude Sweetnam, by License is recorded by Abbeystrewry parish records on 19 June 1828. One family tradition is that the bride and groom were cousins. This is not surprising but is hard to confirm.⁴⁰

The existing records of the extended Clerke/Sweetnam family is prosperity through traditions⁴¹ of valuing education, dating, with some detail, at least from the middle of the eighteenth century, of gaining university and other professional qualifications in Dublin, and often aboard in Scotland or London, particularly in law, medicine and the British military (some colonels &

35 John Sealy Townsend, Anne Townsend and Richard Townsend [Deed Registry Office Dublin 213/496347

36 Lands of Thornhill, Lishanapingine, Gortnamnolough, Dromig, Lissanormig, Barnagowlau, Skea, latretradolig, Cloughbouley, Coronea and Deelis, Parish of Abbeystrowy[deed registry Dublin 213/496347, also Tithe Composition Applotment Book 1835 Abbeystrewry parish, 65/52 PRO Ireland

37 Other family events :In 1827 John Sweetnam, brother to Frances G. Clerke, of Mardyke married Anne Beamish of Dunmore, younger daughter of George Beamish. Other siblings of Frances Getrude include Helena Frances who married the Rev John Browne. Stephen who firstly married Jane Clerke and then Marie J. Long. And Dr Michael whose son Dr John William Sweetnam settled in Melbourne. John Sweetnam Clerke, Alexander's second son was marry his first cousin Ellen Ada Sweetnam, daughter of Stephen and Marie Long.(see genealogical charts in appendix and family history file with author)

38 National Library of Ireland, Biographical Notices, Ffolliott MS 19, 172/2/ P.255-259

39 Letter not located but referred to when applying for a grant see chapter 3

40 Private communication from K K Tyson concerning notes made by Ruth Tyson

41 Alexander Clerke in his will hoped that his descendents would gain professional qualifications [A.Clerke's Will SC Tasmania]

generals⁴²). The confluence of these two families with other Protestant Anglo Irish families in the Skibbereen area is significant and obviously mutually beneficial dating many generations back before Alexanders and Frances's union. This Clerke/Sweetnam family grouping had considerable experience with agricultural pursuits, as landlords, with commerce as merchants and in secondary industries such as milling. A family grouping that also has considerable experience in law, judicial and maybe other government appointments. Family members were in England, America and elsewhere, demonstrating an easy mobility and thus travelling and settling abroad was not novel. Clearly a background that would be most suitable for a busy, influential and successful life in Van Diemen's Land and to make the most of all the opportunities that could arise.

Why did they in particular immigrate? Maybe the position the young Clerkes occupied in a largely rural society offered no great opportunities for advancement and as the younger children of a large families, emigration was always an Irish/English option. Maybe also they saw the prosperity of the area declining and increasing secular violence. The mobility of ambitious professionals then as now is high in search of opportunities for advancement. But more positive reasons could of equal or greater importance. A quest and adventure to make good with the promise of free land grants in Australia must have had some significant bearing. No taxes or tithes no great religious divides or historic baggage. So after Alexander had successfully applied for permission to immigrate as early as April 1827, in July 1828 Alexander, his bride Frances Gertrude Clerke embarked, along with at least one close relative, the newly qualified Doctor Jonathan Clerke, and other prominent Irish families⁴³ on the ill fated *Letitia* to Van Diemen's Land and thus commit their future to the colony.

42 Some examples General St John Augustus Clerke KH, Shadwell Henry Clerke - first gentleman of arms to Queen Victoria (see genealogical charts in appendix)

43 More about these settlers in Chapter 2

Chapter 2

Letitia

*we went to sea with the worst crew that was ever shipped*¹

Some very influential and well connected Anglo Irish immigrants² sailed for New South Wales on the barque *Letitia* of Dublin in July 1828 with the Clerkes. This party of 40 odd free immigrants appears to represent one of the last significant movements of Anglo Irish to Van Diemen's Land.³ The change in land grant regulations of 1831 and the shrinking of available fertile land brought a different class of free British immigrants, including Irish to Australia. The *Letitia* passengers were not completely representative of the Anglo Irish. Using one classification⁴ there were none of the top level, that is, the large landlord class on board. They were largely the educated middle class, and the men at least, were former military, professional and public servants who obviously aspired to be of the highest level in the Antipodes.⁵ Unfortunately for them, it would take nearly a year before most of them would start to satisfy their ambitions, following the shipwreck of *Letitia* without any loss of life in August 1828 off St Jago, Cape De Verde Islands. Whilst this shipwreck would have been a real setback to their plans there was no doubt it gave them some advantages to officially plead and emphasise their distress in the years to come. And they did.

1 Kate Hamilton Dougharty, *A Story of Pioneer Family in Van Diemen's Land*, P. 13

2 Passenger list: HTC 6 June 1829

Captain Moriarty, Wife 2 children, servant, Miss Hogart, Mr Moore, Lady and 4 children, Mr Grey, Lady, Miss Grey, Mr Grey Jun and three children, Mr MacNamara, Mr Foster, Mrs Clark [SIC] Clerke], Mr Ghie, Lady and three children, Mr Cunningham, Mr Riley, Mr Hayes, J. Malony, P. Murray, J. Ring, James Leary, L. Hayley, I. Cashenor Darby Clary -

3 The numbers of Irish and Scottish immigrants were about the same- see graph in appendix

4 Patrick O'Farrell, *The Irish in Australia*, New South's Wales University Press, 1987

5 The gentlemen on board included an experienced retired naval officer, Commander William Moriarty (1792- 1850), a member of a extensive and distinguished naval family from County Kerry. He may have chartered the ship. He became the well known Port Officer for Hobart amongst many other colonial appointments. He was granted 2560 acres *Dunorlan* near the Mersy River [Despatches 3567/6 24 Oct 1829 P.405, ADB vol 2] Mr Humprey Grey, a public servant, late of the Irish Commissariat having served 19 years in its service. Grey was a son of an army officer, five sons also serving his majesty as officers. He and his family settled at Avoca with other family members. [CO 201/190 P.187, CSO 5/78, CO 280/21, P 182-185]

Mr James Henry Moore, a relative of Mr Moore, Member for Dublin, brother-in-law to the Provost of Trinity College, and with the assistance of his "late respected friend "Sir Henry Torrens" had obtained a promise of a grant of land in NSW. Whilst originally aiming to settle in NSW, he was to be appointed Collector of Internal revenue by Governor Arthur, amongst many other colonial appointments which were to be dogged with 'misfortune and dispute" [CSO 1/900/9127, HRA, I, xiv, 661, 4 Oct 1848, D.Loone, *So soon Forgotten* .]

The voyage of the *Letitia* was a complete disaster - and the seeds of the misfortune were there right from the start. The water turned bad after four days. There were serious arguments between the crew and passengers every day. The crew itself were largely inexperienced only five being capable, and three were described as 'complete villains' accordingly to one passenger. Seven crew members died.⁶ The barque had called into Porto Prayo Island off St Jago to take in fresh water and there the anchor didn't hold. The inexperienced crew didn't use a second anchor in the big swell until it was too late and the ship was bashed upon the rocks. There was no loss of life, as it happened during the day when most of the party were on shore but the property on board was not insured.⁷ What followed this serious mishap was a good example of the efficiency and the rapid response of the British Empire to deal with 'distressed' gentlemen, (probably and) especially for well connected ones.

The British Government made an exception to its policy of dealing with the shipwrecked which was essentially to return any survivors to Britain. The British Consul at St Jago had promptly arranged for passage for most of the party to Brazil via an American boat that was in port.⁸ The thirty nine remaining *Letitia* passengers arrived in Rio de Janerio on Sunday 5 October 1828. The British Consul authorised and paid for board and lodgings at the Hotel de L'empire where they stayed from 8 October 1828 until January 1829 which must have been a considerable expense. The British Consul in Rio also organised and paid for the chartering of the vessel *Anne* at rate of 900 pounds to transport the 39 remaining passengers to New South Wales. The Consul justified successfully to the colonial office that this cost was less than transporting them

6 K.Dougherty, *Op Cit*, P 12-13

7 "...we went to sea with the worst crew that was ever shipped. only five hands that knew anything about seamanship, and three of them were as great villains as could be met with. They were picked up in the cove". Clements [Captain?] had promised to pick up more hands in Madeira but found the ports charges were going to be about 6 pounds with a promise to put into Pernambuco for fresh water and provisions. Four days out of Cork the water went bad as the casks that contained it were dirty. On 15 August 1828 *Letitia* came to anchor in the Porto Prayo Island off St Jago to take in water. It came to a blow, which occasioned a swell and the ship rolled much. It was deemed advisable to let go the second anchor." K.Dougherty, *ibid*, P.13

8 Left some of the passengers at St Jago to return to Ireland by America Mr Page (Son of a stockbroker in Dublin), Mr Bell, Mr Roberts, Dr Clerk [sic], Mrs Weston and Child went on "Mary" of London the next day. K.Dougherty, *ibid*, P.13

back to Britain and then charting another vessel. This was contrary to the normal instructions for distressed British subjects of returning to England.⁹

The Matron of the Orphan School

Mrs F.G. Clerke had contracted an illness possibly yellow fever,¹⁰ at Cape De Verde Islands but had recovered and joined the other passengers on the *Anne* to Van Diemen's Land. From Rio, her husband Alexander Clerke returned to Ireland to successfully claim compensation for loss of all his 'outfit'.¹¹

Governor George Arthur was generous, at least at first, to the former passengers of the *Letitia*. A few days after the arrival of the *Anne*¹², on 22 June 1829, Mrs F.G. Clerke gained a grant of 1000 acres in her own name, uncommon for a woman but not unknown.¹³ The grant however was conditional on sufficient capital to be imported into the colony by Alexander Clerke within eighteen months.¹⁴

Mrs F.G.Clerke must have been a very resourceful person but we have no idea how she kept herself during the first few months in the colony, however on 13 November 1829, she was appointed the Matron of the Female Orphan School with the salary of 100 pounds and half rations.¹⁵ To have to work at a paid job must have been unusual for a lady of her class, married as well. Yet she was alone and maybe destitute and thus could not ignore the opportunity of earning a respectable income. The position had other compensations. For one, the Female Orphan School, at this period was located during this time at *Bell Vue*, R.W.Loane's mansion situated between Davey Street and Fitzroy Place. Whether or not Mrs Clerke was aware of her family's close Irish geographic connection of this branch of the Loanes is not known.¹⁶

9 FO13/51 P.311

10 Mrs Clerke was apparently unable to nurse any of her children due to this illness.[Private communication with K K Tyson from notes by Ruth Tyson]

11 gained 500 pounds apparently See AC Obituary

12 The *Anne* arrived in June 1829 in VDL [HTG 6 Jun 1829]

13 Sharon Morgan, *Early Settlement in Early Tasmania, Creating an Antipodean England*, P.28

14 Mrs Clerke paid the survey fee for her 1000 acres a little over a year later on 12 August 1830 [CSO5/78 P.288] Alexander Clerke to Arthur May 28, 1831 [CSO1/401 file 9056]

15 CSO 284/52

16 D. Loane, *This our fathers did for us*, P 5-24

Mrs Clerke was the third Matron of the female orphan school in three years. She followed Mrs Norman, who had just died from breast cancer.¹⁷ This institution since its formation had its fair share of scandals. The original Master and Matron, the Chronleys had been dismissed for keeping false books. In 1831 there were 57 female inmates. The mode of instruction was 'Dr Bells' or the 'Madras' system.¹⁸ Mrs Clerke was assisted by Mrs Lonsdale as the assistant matron at a salary of 40 pounds and Rev. Norman remained the master.¹⁹

The Clerkes had friends at the Colonial Office. As in July 1831 a Mr E.H. Adderbley made a verbal application on behalf of Alexander Clerke to Lord Goderich to get his wife confirmed in the post of Matron. Governor Arthur was informed by Viscount Howick that Mrs Clerke "by every respect qualified for the charge of such an institution" and wished to it confirmed.²⁰ But the efficient George Arthur had already confirmed the appointment by earlier dispatch. So in a self-satisfied manner, Arthur replied in a letter dated 2 March 1832. "It appears to have escaped His Lordship that I reported Mrs Clerkes appointment in my Dispatch No 2 of 23 January 1830, and that His Lordship signified his approval of it by Dispatch No 31 of 19th August 1830".²¹

Alexander Clerke arrived in Hobart Town in November 1830 with a capital of over 1000 pounds. He gained a land grant of 1000 acres on 27 October 1831 under the original conditions and in same year walked with Henry Douglas to the north of the colony.²² There

17 For description of Mrs Norman's illness and surgery see Don Norman, *So Soon forgotten*,

18 CO 284, P 154 (1831)

19 various mentions of the Matron or as Mrs Clerke [SWD 24, P.254, 268, 276,367,380,387,292,395, 396]

20 "Dowling street

21 July 1831

Lieut Governor Arthur

Sir, An Application (verbally by Mr E.H. Adderbley) has lately been addressed to this Department by the friends of Mr Alexander Clerke, whose wife is stated to have been appointed to the situation of Matron of the Female orphan School at Hobart Town with the view of getting the appointment confirmed. Presuming the information connected with this Lady's appointment to be correct, Lord Goderick has much pleasure in complying with the request which has been made to him, as it affords him the opportunity of placing in that situation one whom he understands to be in every respect qualified for the charge of such an institution.. Horwick"
[CO 408/7 P.381]

21 CO 407/7 P.8;

The earlier acknowledgment

"Sir,

I have to acknowledge the receipt of your dispatch No 2. of the 23rd Jan last, reporting the appointment of Mrs Clarke as matron of the Female Orphan School in the room of Mrs Norman deceased; and I have to approve of the arrangement which you have thus made for the management of that Institution

I am. G. Murray"[CO 407/7P.130]

22 K. Bonney(Ed), *Early Deloraine, The writings of Louisa Meredith and Daniel Griffin*,

must have been a fair amount of travelling by the Clerkes between Hobart Town and to where their grants were located up north. The Orphan School committee were informed on 9 February 1832.

This morning Mr Clerke reported that Mrs Clerke was too ill to attend to her Duty and that he had been under the necessity of removing her into the country by the direction of the Surgeon for the recovery of her Health. He also reported that the Duty could be carried on by the Submatron for a short time and he engaged to sleep in the school as a measure of security during Mrs Clerke's absence.²³

The nature of the illness is not described but at this time Mrs Clerke was pregnant.²⁴ In April 1832 Mrs F.G. Clerke resigned as matron effective from 1 July 1832. As "Mrs Clerke's state of health being inadequate to the duties of her situation" the committee recommended its acceptance.²⁵ In May however Mrs Clerke requested permission to remain at the school for three months longer, to the 31st August. She had been "disappointed in her arrangements to reside in the family of Captain Moriarty until their own House is ready for her reception."²⁶ This request in part, at least must have been granted. On 28 June 1832 Mrs Clerke requested to have the girl Mary Fitzgerald assigned to her from the school. The committee agreed that "Mrs Clerke's request be complied with".²⁷ Mr and Mrs Garard were appointed in Mrs Clerke's place from the 9th July.²⁸ The change over to the Garards was not without some drama as on the 19 July 1832 the committee went to Orphan School to do the transfer but Mrs Clerke wasn't moving out due to the "non arrival of Mr Clerke from the country". The committee granted her another week when "

23 CSO 1/ file 1140

24 Her first child William was born on the 9 Nov 1832

25 SWD 24 P.380

26 SWD 24 P.387; HTG 5 May 1832

27 "a girl Mary Fitzgerald now in the school may be assigned to her in the usual manner on her quitting the situation of matron and returning into the country".[SWD 24 P.392]

28 SWD 24 P.395

the charge and possession" was given over to Mr & Mrs Garand.²⁹ By letter Mrs Clerke requested to have the girl Ellen McHare aged 12 years, "to whom she is attached, instead of Mary Fitzgerald of the same age whose removal has been approved of by his Excellency". The committee had seen the girls and recommended approving the change and noted that "Mrs C does not intend to keep any female Prisoner Servants, nor any male Prisoner in the House and pledges herself to take every care of the child".³⁰

So ended Mrs Clerke's brief career in the colonial public service. Mrs Clerke had used one of the few work opportunities available to a respectable woman in the Van Diemen's Land colonial service to earn a reasonable income. It gave the Clerkes some advantages including, time to complete the residence on the land grant. After two years in Van Diemen's Land the Clerke family moved to a newly constructed house near Hadspen on Mrs Clerke's land grant they would call *Coronea* (see next chapter).

Assistant Colonial Surgeon

The other member of the Clerke family to gain an early Colonial appointment in Van Diemen's Land was Dr Jonathan Clerke.³¹ He had travelled with his brother Alexander and sister-in-law on the *Letitia* and it would be a surprise if Dr Jonathan Clerke, as the only medical man on board, hadn't performed the duties of the ships surgeon although no available evidence confirms this role.

The self-described, "destitute and ill" Dr Jonathan Clerke, had returned, after the shipwreck of the *Letitia* in 1828, to Ireland, via a different route it appears than did his brother Alexander. The lure of the new country must have been still great but illness kept him in Europe and America and the first we hear of him, in Van Diemen's Land, was early in 1832. Goderick had provided him with a letter of introduction but a copy has not been located. The

29 SWD 24 P.396

30 SWD 24 P.397

31 Jonathon Clerke MRCS 18 April 1828, FRSC 8 Dec 1864, LRCP Edin 1859, LM Dublin Lying in Hospital 1828 [Phan's Lives of Fellows, Pub 1930 copy consulted in London at Royal College of Surgeons.

acknowledgment by Arthur and his initial impressions of Dr Clerke as " a very respectable settler" in April 1832 is the only located record of that letter of introduction."³²

In April 1832 the Colonial Secretary wrote to the Colonial Surgeon, probably on Arthur's instructions seeking for an appointment for Dr Clerke in the medical department. It was duly acknowledged by Dr J. Scott, the Colonial Surgeon.³³ In May 1832 Dr Clerke was present at the first meeting of the Temperance Society in Hobart Town where he proposed a motion.³⁴ On 18 August 1832 Dr Clerke was appointed the first Assistant Colonial Surgeon in the growing township of Westbury.³⁵ The duties of an Assistant Colonial Surgeon were varied. They mainly provided medical services to the assigned convicts of the settlers for a small fee and to any officials. They were required to attend any punishment involving flogging and regularly inspected conditions of the prisoners in goal or in road gangs. They could continue to have private patients(more about this below).³⁶ For all this they received a small allowance.³⁷

Dangers to settlers life were real and they provided some of Clerke's patients. Roddam H. Douglas, another Irish immigrant was treated by Dr Clerke when he was accidentally cut by an axe³⁸ at Dunorlan and in an incident was shaken by seeing a snake for the first time but he survived. Generally most of the colonial surgeons found it hard to survive financially even with private patients and this is illustrated well by a comment of Douglas " Every one on the place had excellent health..³⁹

32 CO 28/34 P 60

33 CSO 1/585/13249

34 CT May 1832 Ironically it was to be the next assistant colonial surgeon of Irish background Dr Loane to have the drinking problem that lead to his dismissal.see following chapter

35 HTG 22 Aug 1837

36 sJ.R.Briscoe, *Dr William Paton, assistant colonial surgeon.*

37 What was to become Westbury was surveyed and marked out on 19 December 1823 but it was not until 1828 that Governor Arthur ordered the laying out of the village. By 1830, barracks and a strong jail or watchhouse had been built.[Karl R. Von Stieglitz, *Westbury*] GA Robinson noticed some allotments being fenced in 1832[GA Robinson *Friendly Missions*]. See also map of Westbury in 1832 [Derrick Loane, *This our Fathers did for us, The story of a Pioneering family in Tasmania*].

38 "I once met with an ugly accident at Dunorlan with my axe catching in a bough, and then coming in contact with my instep, cutting it badly. My cousin (Henry Douglas) has to carry me to the house, and then ride 17 miles to Westbury for Dr Clerke, who was a brother to the late Alexander Clerke.."[K. Bonney(Ed), *Early Deloraine, The writings of Louisa Meredith and Daniel Griffin*]

39 The first time I ever saw a snake was at Dunorlan. I was driving some cattle on foot, the cattle stood and stared at me, and me at them. Feeling a peculiar sensation beneath my foot I looked down, and to my horror beheld about a foot of black snake wriggling himself free from the pressure of my boot. I took a spring into the air as high as myself, and on recovering my footing I killed him with my whip. I shall never forget that snake. Mrs A.Clerke paid us a visit at

Another victim of an encounter with a snake, in remarkably similar circumstances to Douglas was not so lucky - and the District Surgeon, Dr Clerke was called. He had been attending his sister-in-law Mrs A.Clerke after her recent confinement. The death of William Brumett (A/fas 36) an assigned servant to Mr W.Archer on 13 December 1832 prompted Dr James Scott to inquire about the case from Dr Clerke. He replied from Westbury on 3 January 1833 that the man was "in pursuit" of cattle when he was bitten by a snake. The treatment involved bleeding the unfortunate man.⁴⁰ The explanation must have satisfied the Colonial Surgeon.

Dr Jonathan Clerke was always seeking to obtain better positions. In October 1832 he made a request to the Governor to appointed to the situation vacant by the resignation of Surgeon Bryant, and His Excellency answered "will be happy to take his claim into consideration with others, when the vacancy is filled up, but regrets he cannot hold out any hopes it will be successful"⁴¹

In 1833, the successes of his brother Alexander in gaining grants of land may have prompted Dr Clerke to lobby the authorities for a similar indulgences and he laid his case before Governor Arthur on the 11 June 1833.

Having embarked for the Australia Colonies in the year 1828 on board the Bark Letitia from Cork with all my property which vessel was unfortunately wrecked at

Dunorian. she bought her baby with her, and they came in a carriage drawn by bullocks. Of course it was a great treat for Miss Moriarty to have a chat with a friend, and babies being very scarce in those days, Mrs Clerke's was quite an object of curiosity. Ah! those were happy days, despite the hardships inseparable from pioneer life. ."[K. Bonney(Ed), *Early Deloraine, The writings of Louisa Meredith and Daniel Griffin*]

"...and that in walking through a paddock where there was very high grass he accidentally got his foot and leg into a deep hole, and found that he was immediately bitten by a snake, he was not alarmed when on first receiving the wound, until a few minutes after when he perceived his head, stomach, and bowels get very much affected, at last he got so very sick he fell down in a state of insensibility, and remained in that state for a long period of time. Mr Nicholson overseer to Mr Archer he went to him, and after ascertaining what the matter was, he got him to his hut, as quick as possible. It was three hours after he was first bitten that Mr Nicholson saw him. He sent for me to my Brothers, I was attending Mrs Clerke after her confinement, I lost no time in getting to my Patients who I found with the following symptoms:- Great anxiety, prostration of strength, difficulty of breathing, copious bellows evacuations from the bowels, great thirst, extremities getting cold, sight affected, intellectual faculties deranged, pulse 120. The wound was situated over the internal saphine vein where it passes behind the inner condyle of the femur. I must inform you that eight hours elapsed before I saw him. Treatment- Excision of the part. Warm diluting drinks, small doses of Calomel, until the bowels became moved; and then the ammonia in small doses. I should have given the ammonia in the first instance but the stomach was so irritable, I gave a little warm [...] occasionally. I had no Liquor Arseniculis or I should have given it, preferred, as I said beneficial effects produced from it, in a few cases from the bite of the rattle snake of America the symptoms under the treatment mentioned continued to increased, and in four and twenty hours, after he first received the wound he died - Remarks- It was unfortunate I did not see him sooner after the accident, as I am almost certain that the above treatment would prove beneficial. The snake that bit the Deceased I should imagine was the black one of this island [CSO1/ file 14360]

41 GO 50/5 P.271

the Cape De Verde Islands where I was left almost destitute, and obliged to return to Europe for a refit, and with the full expectation of obtaining a Grant of Land. I re-embarked for Hobart Town in the year 1831 having been detained in the United States of America, and afterwards in my native land by a lingering and distressing illness contracted at Saint Jago from affects of exposure in that unhealthy climate after my disaster until a new regulation appeared abolishing Grants of land

But feeling fully assured that although the letter of those regulations might exclude me from obtaining a Grant, yet that their spirit could not. I confidently took up my abode here - I have hesitated this long, in bringing forward a just claim only from the uncertainty I hitherto been in of becoming a permanent resident here: but being now quite decided on that point. I earnestly trust that you will take my case into your consideration.⁴²

The authorities required more information but didn't hold much hope. So Jonathan replied from Westbury on 30 June 1833 " I beg leave to state that the amount of capital brought by me into this Colony is so trifling that it is not worth mentioning however I hope you will inform His Excellency the Lieutenant Governor, that I have in Ireland a small landed property which would bring the capital of about six hundred pounds and which is my intentions to dispose of, as [...] as my application is acceded to". His application didn't succeed.⁴³

Dr Jonathan Clerke displayed an interest in the religious life of the small community of settlers and convicts by undertaking the duties of Catechist at Westbury which prompted another Irish gentleman, the Rev. R R. Davies to seek an official appointment for him on March 3 1834 .." that Dr Clerke has undertaken the duties of Catechist at Westbury, and performed Divine service yesterday March 2nd at the Barracks which Lt Lonsdale has kindly lent for that purpose until a school room can be erected. He is also (offered) to perform afternoon service at a place called 'The Swamps' about eight miles from Westbury adjoining the farms of Prinsep, Bryan,

42 CSO 1 File 14738

43 *ibid*

Reiby, Minnett, Walkers & c c and I therefore beg leave to recommend that His Excellency would be pleased to appoint Dr Clerke to this situation of Catechist from the 1st March" ⁴⁴

The Executive Council considered the matter and noted that " Dr Clerke had performed the duty since March 1834" and that he had discharged "the duty in the most satisfactory manner" and that "the average Congregation at Westbury had been 56". He had also performed Divine Service every Friday afternoon to the road gang at Carrick Bridge. They recommended that Dr Clerke should receive a salary of 50 pounds. ⁴⁵

Dr Clerke obtained yet another official paid office when he was appointed Postmaster at Westbury in June 1834. ⁴⁶ He was probably on the way to increasing his wealth through these government positions, however, towards the end of 1834 some unknown urgent family affairs in Europe compelled Dr Clerke on 6 September 1834 to resign from his colonial appointments to return to Europe. ⁴⁷ He returned from Ireland in 1836, and wrote from Launceston in June 1836 to remind the Governor of his commitment given him about further employment.

I will remind your Excellency that I brought a letter from the Secretary of State/ Lord Goderich, recommending me to your Excellency's attention "that Your Excellency was pleased to give me an appointment at Westbury, in which I believe I have given general satisfaction. Family Affairs of an urgent nature requiring my presence at home And not being able to procure leave of absence I was under the necessity of resigning that appointment - Your Excellency at that time, was kind enough to promise me the [first] vacancy that would occur[?] on my return. I have been now four months in the Colony, and under the circumstances, I trust your Excellency will be kind enough to give me the first vacancy that arise in my Department" ⁴⁸

44 CSO 1 file

45 EC 4/5 P.244

46 *Tasmanian Colonist* 4 Jun 1834

47 The nature of this urgent family business has not been discovered. Matching a known death which seems the obvious in the Clerke family has been tried without success.

48 CSO1/ file 18638; *North Briton* seems a possibility, Hobart 17 Feb 1836 which called at Cork 20 Oct

No new position in the Van Diemen's Land colonial service was offered to him. Sometime after June 1836, Dr Clerke accepted temporary employment in the new settlement at Port Phillip where in August 1837 Dr Clerke and a party were searching for that former Tasmanian Gellibrand whose disappearance in Port Phillip district was a mystery.⁴⁹

Meanwhile Alexander Clerke was attempting to look after his brother's interests which emphasises the importance of these family allegiances in making good in the colonies. In October 1837 Alexander sought from government that Jonathan be appointed to the position of a medical attendant at the Orphan Schools.⁵⁰ In February 1838 Alexander Clerke again wrote to the Governor, reminding him of his previous letter sharply that "I have not had the honor of receiving a line in reply but learned thro' the medium of the press the situation was otherwise disposed of." But he had since heard of another vacancy, this time in the Hamilton District and wished for his brother to be considered.⁵¹

In the absence of a colonial appointment in Van Diemen's Land, in spite of continual lobbying by his brother, Dr Jonathan Clerke successfully applied, in July 1838 and accepted the Colonial Surgeon's job at Geelong.⁵² His formal links with the Colony of Van Diemen's land were over and were never to be resumed.

In conclusion, these free Anglo Irish settlers, Mrs Clerke and Dr Clerke as two representatives had thus gained an initial appropriate positions that provided some income in the colonial establishment funded by the tax payers of Britain. Whilst Mrs Clerke also gained a free grant of land in Van Diemen's Land and subsequently so did her husband, Dr Clerke's late arrival didn't allow him this path to a colonial fortune. Following their initial shipwreck the British Government

49 P.L.Brown *Clyde Co Papers* Vol 2, P.91

50 "Perceiving from the Gazette that a medical attendant is required at the Orphan Schools I beg leave on the part of my brother Doctor Clerke to a recorded pledge of the Government that the first vacancy that may occur should be offered him, and to trust the Government will be kind enough to redeem that promise.

I have further to state that Dr Clerke after waiting some months has accepted temporary employment at Port Phillip with the intention of availing himself of the promises made him but to obviate any difficulties that may arise in consequence I am authorised to say that the present occupant Doctor Everett will undertake the duties for a month when my brother will be enable to arrive. I have further to add that Dr Clerke is qualified as Physician, Surgeon and accoucheur but the fact of his being previously employed by the Government and the promise he holds being the result of the satisfaction he gave will be sufficient on this head"[CSO 1 file 18638]

51 CSO 5/114/2564

52 8 July 1838 HRV 2A

enabled the migrants to continue their voyage to Van Diemen's Land and to gain what appears to be considerable special treatment from the Colonial authorities on arrival including allocating large land grants, gaining minor and eventually to some substantial colonial appointments. They were considered respectable settlers. They made good out of their misfortunes as over many years many of the passengers used the excuse of the distress and loss of all their complete 'outfits' during this ship wreck to claim further indulgences of land and jobs from the Van Diemen's Land authorities.

Chapter 3

Making good

*Mr Clerke was not a man to crush the poor and needy, although he always kept an eye to No. 1*¹

The Clerkes prospered in Van Diemen's Land and overwhelmingly achieved their material goals amassing considerable wealth² and probably in the social class sense, reached the top. By the 1850's their real estate had included various classic colonial mansions, notably *Mountford* at Longford, on the hill surrounded by their property of thousands of acres of prime agricultural land. They achieved what could be described as an Anglo-Irish immigrants dream with tenants on various farms and extensive business interests in shipping and other enterprises.³ How did they do it?

Alexander Clerke had trained as an engineer and there is some evidence that he had built or supervised bridge building.⁴ He obviously did not use these activities as his principal way to wealth. There is also evidence that he was employed as a valuer and a land agent(see below)⁵. However the principal reason that Alexander Clerke prospered was that he was a shrewd businessman. William Moriarty⁶ recognised it and so did Fenton amongst many others.⁷ It appears initially that many dealings in land, agricultural and pastoral activities were their principal way to wealth. The Clerkes' land and business transactions are vast over 40 years⁸ and a complete inventory is beyond this work. The work will briefly examine a few early land transactions and then be reasonably selective in other business arrangements to build up a

1 JFenton *Bush life in Tasmania*

2 It is hard to determine exactly how much :- "once saw Alex Clerke's yearly account book and noted turnover 25,000 pounds" notes by Ruth Tyson nee Weston. [Private communication from Keith K-Tyson.]

3 Alexander and Frances Gretrude Clerke owned much land during their life-time but their family residences were firstly *Coronea*, Hadspen(1831-1836) then at Westbury(1837- 1840). Following an extended visit to Skibereen Ireland between 1838-1840 they had built *Ravenworth*, Longford (1841-1844) later acquired *Mountford*, Longford (1847-1870) before retiring to the North West Coast at *Sea View* Ulverstone (1870's).

4 At Deloraine in 1846 CSO11/v213/498, and at Longford (second Kings Bridge)Longford , suspension bridge LE 26 Jun 1856, LE 2 June 1856

5 HTG valuation roll - agent for Dr Casey

6 Moriarty in recommending Clerke for a JP at Westbury "Mr Alexander Clerke is coming to reside at Westbury and, in my opinion is admirably qualified to discharge the function of the ministerial office of a Justice of the Peace; very independent in his circumstances, he possesses an honest heart with a shrewd and discriminating judgements And from a nine years acquaintance with his characterWm Moriarty" CSO 5/70/1551

7 AC Obituary LE 22 Mar 1877

8 at least 300 deeds registered - Index to deeds Tasmanian deeds registry

picture. He branched into shipping⁹ and other mercantile activities but in this work this is not explored in any detail. He lent money - and rarely borrowed (if ever) after 1840's. In spite of all these activities he was still considered by George Arthur as a 'very respectable settler' and recognised in his life time as a 'very successful' settler.¹⁰

The Clerkes with, armed with a location order issued to Mrs Frances G. Clerke dated 22 October 1829, took up their 1000 acres grant on the north-east bank of the South Esk river, approaching its junction with the Western River [Meander] and surrounding the village reserve of 100 acres of Hadspen. The Clerkes named this property *Coronea* after a family estate in Ireland (see chapter 1). Shortly after his arrival, and after application in May 1831 to Governor George Arthur, Clerke put his case before the Land Board in July for an additional grant. Clerke claimed that he had lost 800 pounds of property in the shipwreck and that he had brought to colony 1850 pounds as well he had a 85 pound income from his interest from farms, stores and his wife's inheritance in Ireland. The Board in the light of his Irish income, his "Bills at short dates" for 1012 pounds and his misfortune in suffering a shipwreck and that Clerke had erected a small house and some fencing on first grant, ordered an additional grant of 1000 acres.¹¹ The two grants were several miles apart. On *Coronea* over five years, the Clerkes and their convict workers built stone buildings including a house,¹² opened a quarry, grubbed, cleared and fenced, claiming that the improvements amounted to the value of 2322 pounds.¹³ In 1835 the Clerkes sold *Coronea* to Henry Jennings for 3500 pounds, although they continued to occupy the property for a least two years after (probably to satisfy the land grant regulations).¹⁴ The property was described as having inferior soil by a later commentator,¹⁵ so perhaps selling this first property was a wise move. The Clerkes had sold their second land grant of 1000 acres to

9 Clerke owned many ships and held mortgages over others private communication with maritime historian Graham Boxam, Canberra

10 CO/ 280/48 Dispatch 39 P.448

11 Rent from Farms called *Coronea*, *Colosothra*, *Lahanagh* in Cork and stores in Skibbereen CSO1/401/file 9056, LSD 265/2 see also LSD 1/87

12 Two story stone building demolished in the 20th century - private communication with present owner of Comea

13 CSO 5/78 P.288

14 Deeds Registry 1/5859, 2/12/1835. The deed for this grant took a while to materialise and the final details were finalised in 1842 DR 2/5351

15 In August 1841 Henry Jennings & William Rhind were described as in occupation of the original grant of Frances. [DR 1/ 5859] "The undersigned, finding his present residence at *Coronea*, near Entally Bridge, too far from Launceston would be glad to let and sell the house and buildings with any quantity of land from 100 to 1000 acres, or he would take other property within a short distance from town in exchange Henry Jennings Charles Street, April 5" [LE 16 April 1845] "Mr Clerke first settled on an inferior section of land near Hadspen" [*The Tasmanian*, March 24 1877 p.8]

William Page Ashburner, an adjacent landowner for 350 pounds in August 1835. This land grant had been completely fenced by Clerke and contained a shepherd's hut and a sheep yard. All these improvements amounted to a value of about 180 pounds.¹⁶ In October 1835 the Clerkes purchased a 100 acre property at Quamby's Brook and in 1836 they paid 640 pounds for 640 acre property from B. Gilpin. It seems the Clerkes used this property and 600 sheep on it, in 1837, as security for a 2000 pounds loan from A. Brooks.¹⁷

But borrowing money was an unusual event for the Clerkes, as early on, they lent out money secured by mortgages over land. An illustrative example occurred in 1836 when Clerke lent Edward Dumaresq, a neighbour 512 pounds to purchase 10 acres in Sandy Bay, Hobart. Payments for this loan were noted regularly by Dumaresq in his diary and he had paid it off by 1845. The Clerkes in 1836 had also sold a small property they owned in Fitzroy place, Hobart Town, to Edward Dumaresq. Alexander Clerke obviously was involved in many transactions with his neighbours but business associations with Dumaresq are particularly well documented.¹⁸ It is not surprising that in 1841 the Clerkes lent fellow *Letitia* passengers and friends Captain William Moriarty and his wife 2000 pounds to purchase two parcels of land with the security of mortgages over the properties.¹⁹

Sometimes Clerke did not lend money directly to gain mortgages over properties. In May 1837 Alexander took a mortgage over sixty acres at Norfolk Plains owned by John Charles Nicholson and his father Thomas Nicholson, originally granted to William Roach. The mortgage was

16 "Westbury 29th March 1838 We hereby certify that we are acquainted with the improvements made upon the land located to Mr Alexander Clerke on the north of the Meander- That the whole is enclosed by a very substantial four rail fence- There is a shepherds hut of two parts and an excellent five railed sheepyard- That the value of these improvements in our opinion amounts to... , but having seen the actual account paid for the fencing alone- We are enabled to state that it amounts to 182.9.6 without cartage AB Jones JP[CSO 5/78]

17 LSD 1/90/P103 8/6/1842, Deed Registry 2/265, 1/3931

18 Edward Dumaresq Diary NOV 1836 T 8 went to Mr Clerke & got him to renew Bills for payment of for the last 18 head of cattle W 9th Went to Launceston to get Exchange of Mr Clerke's mortgage from Fitzroy Place property to 10 acres T 12th went to Mr Clerkes for Herberts old carve got it up but the side came off in taking it home it is old and ___? Feb 1837 14th Went to Launceston via Coronea, requested that [.....] Bill might be discounted to meet Mr Clerk's acceptance left Moffas Eddee [NS 953/377] Dec 1838 W 19 Went to Coronea to tell [.....?] [NS 953/378] Aug 1839

W 21 Walked to Coronea [NS 953/378] Cheques 15 Sept 1838 [Pounds 20.12.6 To William Moriarty for Alexander Clerke] 21 Oct 1839 [Pounds 51.50 ditto] 20 March 1841 [Pounds 25.12.6] 19 Sept 1841 [Pounds 25.12.60] [NS 953/425-429] Dec 1840 Went to Launceston Henry Jennings come out in gig & Mr Clerke rode part of the way with us. March 1842 Tu 8th at Coronea making valuation with Mr Reiby & Mr Nicholls for Mr Rhind 7 H. Jennings [NS 953/ 379] 1843/June 6 Went to Launceston and found Mr Clerke Bill for 420 pounds had been dishonoured at the Union Bank rectified the matter [NS 953/380] May 1845 6th Went to Longford and met Mr Clerke to arbitrate us the dispute between Sand. & Ball 9th Mr Clerke called and are decided 21st Called at Mr Clerkes about Mr Ball's affair

19 Deed Registry 2/4618, another mortgage 3/1719

gained by cancelling a debt of 512 pounds 10 shillings (that had generated legal proceedings including a bond and a warrant) the amount owed from the sale of cattle sold to the Nicholsons by Alexander Clerke but not paid for.²⁰

In spite of selling his primary land grants, Alexander Clerke obtained a secondary grant of 870 acres from the Land Board on 15 December 1837.²¹ Try as they may, with many memorials to Arthur and the Colonial Office, the Clerkes never managed to gain further land grants under the original regulations. Clerke continued to claim that the distress of the original shipwreck and the subsequent delays in taking up their original grants deserved further consideration but wiser heads prevailed.²² Nevertheless in their first five years in Van Diemen's Land they had considerably multiplied their initial capital.

Alexander Clerke in October 1834 combining display a civic responsibility and attention to his own interests, lobbied with others for a road from Launceston to Reiby's ford.²³ Again his motions could be questioned in September 1835 when he informed the authorities that a man was illegally squatting in the township reserve of Hadspen cutting and selling government timber. The intruder William Ellington was removed from Hadspen, William Littleton reported on 26 October 1835.²⁴

In 1838 Alexander Clerke advertised his intention to leave the colony. "The undersigned leaving the Colony, requests all claims to be sent to him before the 1st March, Alex Clerke Westbury, 1 st Feb".²⁵ Captain William Moriarty acted as their attorney in the Clerkes absence. It is hard to determine their intentions. Was the visit to Ireland to be an extended holiday or permanent return to their native land? Whatever their reasons, they returned permanently in the 1840's to Van Diemen's Land. Whilst abroad, Alexander Clerke gained a 500 pounds

20 deeds registry 2/735, he seems to have purchased this property for 88 pounds from Mrs Simpson 2/5548.

21 CO 280/102 P.193, LSD 1/7/61 30 March 1840 relocation of his second grant to near Westbury

22 CSO 1/15768/4, Arthur Dispatch 40 21 July 1834, CSO 280/48, 128500

23 CSO 1 file 16405

24 Coronea Launceston Sept 19th 1835....William Ellington has without any authority taken up his residence in the Township of Hadspen near Reiby's ford and that on yesterday he was convicted at the Police Launceston of cutting and felling the timber off the said township. the importance of preserving the timber must be obvious as it will be found most difficult to procure a sufficient quantity to erect a bridge which must ultimately be built across that part of the river..." [CSO 1/751 16167]

25 CC 10 Feb 1838

inheritance from an uncle, Thomas Clerke esq, of Skibbereen.²⁶ During the economic depression of 1840's in Van Diemen's Land, and probably because of it, they continue to acquire further large estates. They built *Ravensworth*²⁷ in about 1841 and the family shortly moved to the grander estate of *Mountford*, near Longford in 1847 following the previous owners financial problems.²⁸ Up to 1847 the Clerkes purchased at least 10,000 acres and sold about 8,000 acres. From 1847 to 1857 Clerke sold and bought 2000 acres in various lots but during this time leased out at least 4000 acres in eight blocks.²⁹ The property *Aldephi* was owned by Clerke in 1847 - how he acquired it is not clear.³⁰ Notable other properties acquired were the *West Ham* estate of 2896 acres at Quamby from T.B. Bartley in 1846 for 4490 pounds.³¹ A major purchase in 1847 was the lease of the estates of *Somerville* and *Egmont* containing 3400 acres from the Rev J.H.Reiby for the 'natural lives' of Alexander Clerke and his wife plus fifteen years afterwards.³² This 'lives' lease was real echo of the 18th century leases held in Ireland by the Clerke family (see chapter 1 and appendix A).

At least some properties were acquired by failing mortgagees. In the 1840's the Irish immigrant James Fenton spent more than 1000 pounds of Clerke's money to convert marsh into profitable agricultural land. When the venture failed, Clerke resumed the land as the loan was secured by a mortgage on the property.³³ Fenton was determined to continue to farm on the Forth and rented a 640 acre lot from Clerke adjacent to the marsh for a nominal rent.³⁴ Fenton believed "Mr Clerke was not a man to crush the poor and needy, although he always kept an eye to No. 1. I have often known him to help others in a manner that mostly resulted in mutual benefit-blessing him that gives and him that takes".³⁵ The mutual benefit is not always clear.

26 Land Records Ireland EC 4091 Box No 3891 Copy of will in authors possession

27 Leake offers to provide lambs to Clerke in July 1841 [Leake Papers L1/B362]

28 Karl R Von Stieglitz, *Longford Past & Present, with notes on Perth, Pateena & Illawarra* E.G.Robertson & Edith Craig, *Early Houses of Northern Tasmania*, Vol 1, P. 165

29 This could be only considered an low estimate -deeds registry.

30 HTC & HTG 9 Jan 1847

31 Deeds Registry 3/1536

32 Deeds Registry 3/3173

33.A loan of 1050 pounds by AC gained a block of 320 acres and one of 640 acres DR 2/5374

34 James Fenton *Bush Life in Tasmania* P.46

35 *Ibid* P.123 tells another story about Church Land , given and subsequently resumed by Alexander Clerke

Two further illustrative examples may portray Clerke in more positive light. The settler Daniel Griffiths was extremely grateful to Alexander Clerke in helping him to gain a 14 year lease of *Dunorlan* for 256 pounds. (*Dunorlan* was a property owned by William Moriarty).³⁶ Again in 1867 Sam Thomas wished to borrow 4500 pounds using as his security his 1660 acres property of *North Down*. Some of the property was let to tenants. Alexander Clerke gave a valuation for the lenders' bank.³⁷ "I have carefully examined North Down the property of S.H.Thomas Esq containing 1660 acres or thereabouts and value it in these very low times at eight thousand five hundred pounds". After Sam's affairs reached a crisis *North Down* was put up for sale at auction on 11 March 1869. It was purchased by Clerke for the 'very' low price of 4800 pounds, the property containing at least 8 dwellings. Clerke changed his mind about keeping this property and the land was conveyed to Marcus Loane, presumably with the agreement of Clerke for 4800 pounds. This deal appears to result in no obvious profit to Clerke.³⁸

Clerke astutely bought new town lands on the coast of the North West in the 1850's. He may have been first to explore these areas by boat.³⁹ He was quick to buy land at Torquay and trade there,⁴⁰ at the Leven⁴¹ and acquired considerable land at Penguin in the 1860's to establish the *Coroneagh Estate*.⁴² In the scramble for land, Clerke used the 'pre-emptive right' regulations of November 1851 to the maximum. Indeed the Lieut-Governor observed in 1852 that "in the list of applicants for land under the new regulations, the name of Alexander Clerke occurs no less than nine times". Part of the explanation was that Clerke had applied for blocks for his four sons. Further when the Governor had relaxed the regulations for granting land for children under the age of 12 he promptly applied for a block for his nine year old Alexander Jnr.⁴³ In

36 K. Bonney(Ed), *Early Deloraine, The writings of Louisa Meredith and Daniel Griffin*, P.62

37 Leake Papers L1/K496

38 Harold Thomas, *North Down being an account of Sam Thomas and his neighbours*, p.79 ; Derrick Loane, *This our Fathers did for us, The story of a Pioneering family in Tasmania* P.100

39 A.Clerke Obituary *Tasmanian* 24 March 1877 - A.C. said to be in the company of Fenton and E.C.Shaw in 1839 in a whale boat , landed at the Don and Forth

40 1852 three one acre blocks in the Torquay town reserve and built the Devonshire store on one of the blocks fronting the river and put his son John in charge, [Charles Ramsey, *With the Pioneers*, 2nd edition revised]

41 100 acres at auction 18 March 1852, *Ibid*

42 Ron Parnell, *Op Cit*,P.7

43 CSO 1 file 4659/2

1855 Clerke had got hold of most the land near the Clayton River and *Clerke's Plains* in the vicinity is named after him.⁴⁴

Whilst he was acquiring land in North West his principal farms were still in the older settled areas near Westbury and Longford. For example in April 1849 he was seeking farmers to lease his 870 acres of *Park Farm* at Westbury, 400 acres at Four Spring Plain; a 5000 acres block rented from the Government; 750 acres called *Sugar Loaf Run* that was seven miles from Westbury and the estates of *Egmont*, *Somerville* along with 250 head of cattle.⁴⁵ In April 1853, Alexander Clerke advertised the letting of four farms of 408 acres each at Glenore.⁴⁶ In January 1855 he was leasing land between 50-60 acres near Perth for a term of years.⁴⁷ In Longford alone, in 1858, Clerke had 1680 acres of agriculture land made up of the *Mountford* estate of 1000 acres, with assessed annual value 300 pounds, 630 acres of agricultural land, part of *Mountford*, that was leased to David O'Keefe with annual value of 140 pounds. He had a 50 acres sheep run leased to Francis Paulden with an annual value of 25 pounds. In contrast at Leven River in 1858 he held, in a number of parcels, land totalling only 262 acres with assessed annual value of only 50 pounds.⁴⁸ At the River Forth he owned another 1280 acres with assessed value of 153 pounds.⁴⁹

In 1862 at Westbury, Clerke was leasing at least four farms and other undeveloped lands with an acreage totalling 5097 acres with assessed annual value of 657 pounds. In 1862 in the Port Sorell area, at Gawler, Leven and Forth Alexander Clerke owned 1082 acres with an annual

44 Charles Ramsey, *Op Cit* P. 77

45 LE 21 Apr 1849

46 CC 28 Apr 1853

47 CC 10 Jan 1855

48 1858 valuation (one block of 162 acres with an annual value of 20 pounds, a house office and 100 acres leased to John Parson with a value of 30 pounds).

49 1858 Valuation(780 acres annual value of 78 pounds and east of the River Gawler he had 500 acres with a annual value of 75 pounds).

value of 140 pounds. His sons owned a further 1395 acres with an annual value of 322 pounds.

50

By 1867, in addition to the *Mountford* Estate with an annual assessed value of 400 pounds, Clerke owned the *Newry Mill* a property of 90 acres with annual assessed value of 150 pounds, and *Iveridge* leased to R.J. Archer a property of 1600 acres with annual value of 180 pounds.⁵¹

The owning of a flour mill was a powerful link with the Clerkes immediate Irish past(see chapter 1). Alexander Clerke purchased what he described as "Mr King's Mill" for 2500 pounds in April 1856 and took possession of the mill premises in May.⁵² How successful this venture was is not known but in June 1856 Clerke was exporting 100 bags of flour by the *Glen Marion*⁵³. William Clerke, Alexander's troubled eldest son⁵⁴ for some time operated the *Newry Mills*.⁵⁵ In February 1871, Mr T.Affleck announced he was leasing the *Newry Mills* from Clerke.⁵⁶ The involvement in the provision trade, a Clerke Irish tradition, is long standing as in 1875 Clerk had built a grain store at Ulverstone with an annual value of 20 pounds.

In spite of this preoccupation with tenanted properties above Clerke, it is clear, did farm on his own account as will be discussed in the next chapter. As a pastoralist he bred and sold cattle; he had 200 fat sheep to sell in May 1845 and 1849 he was wished to buy 1000 fine woolled ewe lambs.⁵⁷ In 1851 Clerke, advertising three sheep stations below Westbury to let, he wished also

50 1862 Valuation 200 acres, *Egmont* to John Appleby with an assessed annual value of 70 pounds and at Quamby Brook to William Dean junr a farm of 1700 acres for 90 pounds. In 1862 John Badcock was leasing a farm at Quamby of 505 acres assessed value of 252 pounds and a sheep run at West Ham of 366 acres with value of 40 pounds) and at *Egmont* a mill run of 1200 acres valued at 80 pounds. 1872 Valuation 6 farms Black Hills, 205 acres leased to James Brattan, *Cluan*, 780 acres leased to the commercial bank, *Glenore* farm of 211 acres to William Dobson, Whitmore H.Hingston a farm of 221 acres, *Clover Hill* a farm of 505 acres leased to Vincent Newton with 1123 acres of pastoral land, *Glenore* Andrew Hingston 153 acres.

51 purchased from R.J.Archer 5/9/1865 DR/3687 & 3688, Archer was A.Clerke's son-law married Ellen Eliz Clerke 1859, title to this property dispute in court Clerke victor LE 13 Apr 1871

52 The French and Badcock Family Book Committee, *Go and be fruitful and Multiply*, P.384 suggests John Badcock had established this Mill at Newry, Longford - and that John Badcock had sold the mill to Clerke and as part of the deal John Badcock and family moved to *Clover Hill* property of Clerke at *Glenore* [Mountford Journal] see also LE 3 Sept 1851 where W.H.King was letting the Newry Estate

53 CC 11 June 1856

54 William was of unsound mind see appendix on family

55 The property contained 90 acres of land and had an assessed annual value of 200 pounds in 1861[CC 20 July 1857, 1861 HTG Longford Valuation]

56 LE 21 Feb 1871

57 LE 2 May 1845 P.324, LE 14 Apr 1849

to sell 6,000 sheep.⁵⁸ In the 1860's Clerke appears to have reduced his direct farming activities when claiming in his election campaign of 1861 that he wasn't a "woolocrat" as he had only 620 sheep and their lambs(see chapter 6). Alexander Clerke was involved in other non-farm business ventures. In the 1830's on he was supplying stone - possibly from his quarry at *Coronea*.⁵⁹ Briefly in 1853 he was on the provision committee of *The Bank of Tasmania* before withdrawing his name after 'irregularities' in the appointment of directors and the manager were found.⁶⁰ He was on the board of the *Launceston Gas Company*. In the 1860's his business interests extended so to involve his family. Clerke set up one son at the Devon in a store and another in business, as a provision agent in New Zealand. When that venture failed Clerke set him up again in Penguin.⁶¹ And when he retired, he had time to build several vessels.⁶²

So to summarise, the Clerkes' fortune was laid down, initially by making the very best of free grants of land (not as much as they wanted), used free labor of the convicts to improve their lands (again to be evident in chapter 4). They bought land, sold land and used the later land regulations to their best advantage. They pursued agricultural pursuits, had tenant farmers on their vast estates, as well as running sheep and cattle. They grew crops, lent out money secured with mortgages and then in later years pursued a range of business activities including mining, ships, stores and a mill. So by 1850's before entering politics in a formal sense, Alexander Clerke and his family had made it in a material sense.

58 "Land to let, and sheep to sell- Three sheep stations on the Meander, below Westbury, each divided into two Paddocks, and furnished with excellent gathering paddocks, huts, yards, & c. The runs are capable of carrying about 6000 sheep, and nearly adjoining, and would be let separately or in one lot. Also to be sold, the stock now depastured on the above land, consisting of about 2,200 lambs, 2,200 two and four-tooth weddlers, 1,300 two tooth ewes, and 300 mixed lot, which would be sold at 9 month credit, by a bill with two names, in one or three lots. Applications(if by letter), post paid, to be made to the undersigned Alexander Clerke Mountford Mar 1" LE 1 Mar 1851

59 Or was it at Westbury? See LSD1/114/P.265

Mr A.C. Wright, the postmaster of Launceston, in a minor controversy, accused Clerke of claiming "a right to have your letters sent to you without the postage being paid for them at the time" It appears that Clerke at the time commenced legal actions for non-payment of an account for stone supplied to Postmaster of Launceston Wright by Clerke and Wright was retaliating. The Colonial Secretary investigated and found that Mr Wright had nothing to answer for, although commented that mixing his private and official affairs was questionable CSO 1

60 Bank of Tasmania - capital of 200,000 pounds [CC 19 Oct 1853] withdrew [CC 31 Oct 1853]

61 Thomas Moriarty Clerke see appendix on Clerke family

62 "Penguin Creek, Mr Bennett is building a vessel 120 tons register for A.Clerke Esq., and expects to commence another directly» LE 16 Sep 1873

Chapter 4

Obligations

One of the peculiarities of Westbury district is that you find Irish families, and whole Irish neighbourhoods, associating together and seldom meeting foreigners; for even the assigned convicts whom these people select are all Irish¹

In the previous chapter the Clerkes appeared in the class role of the 'squires of the manor' in a gentle rural existence with many large tenant farmers. That view is without an explicit awareness that Clerke was also a large employer of convicts and free labor and as one of the magistrates(JP) of the district of Norfolk Plains, at Westbury and Longford was serving the colony's penal system facing a vast convict under class. Was he also protecting his own interests -the large landowning class? Most certainly. There were the additional challenges and tensions inherent in a frontier society and a small community.² This chapter will consider his role in the positions he occupied, and the play of those countervailing tensions.

The Clerkes used convict labor extensively and obviously their endeavours were important in those tasks of all frontier agricultural life such as initially clearing, fencing, building the huts and so, before the second phase of husbandry of animals and cultivation of the crops. Yet evidence for particular convicts working for the Clerkes are scanty. It would be compelling to hear their voices but the records force the telling of a more prosaic tale.³ Appendix C gives a sample.

A good mixture of youth and experience is evident with a 16 year old labourer James Millington⁴ from Warwick, along with Stephen Spilsted, 41 years old, a ploughman from Suffolk. They were appropriated from the convict ship *Lord William Bentinck* in 1832 to work for Alexander Clerke at *Coronea*. In November 1832, James Wardle, assigned to Alexander Clerke was sentenced to imprisonment and hard labor for six months for "absconding and loosing three

1 Peter O'Shaughnessy(Ed), *Gardens of Hell, John Mitchel in Van Diemen's Land 1850-1853*; John Mitchell, *Jail Journal*, Dublin, University Press, 1982, P.321 (20 June 1853)

2 Maybe a valid comparison can be made of the plantation culture of the English in Ireland in the 17th century with the VDL grantees were equivalent to the Protestant English and the convicts equivalent to the native Irish.

3 Dr William Paton's convict servants seem to be more vocal! [J R.Briscoe, Dr William Paton,]

4 Transported for stealing trousers see appendix B

waistcoats the property of his master". He was a recidivist as in March 1832 he had been charged by Clerke with getting drunk when driving a cart from Launceston and losing a case of wine. He gained 50 lashes as punishment.⁵ How big was the Clerke establishment at the time? We can only guess that it was in the double figures. But the work force included free men, probably as overseers. James Bromhall, a free labourer and a Mary Cohen are noted to be living at *Coronea* when their child was baptised at Longford in 1837:

Alexander Clerke served first as a magistrate at Westbury from 1837 and then at Longford, regularly sitting on the bench for nearly twenty years. Being appointed a magistrate acknowledged that a respectable settler had made it in the colony and gave him a established position in the official hierarchy. The recommendation for his appointment came from his friend Captain William Moriarty, police magistrate of the district who had learnt that Clerke was moving to Westbury.⁶ Clerke's appointment was justified. He was law abiding and supported the establishment totally. This is more than evident in the obsequious correspondence on the occasion of Governor Arthur's recall when he also attributed the prosperity of the colony to Arthur's rule.⁷ Clerke's position contrasts with that of his fellow Irish gentleman and neighbour William Bryant who had his magistracy withdrawn over involvement of his convicts in the common but illegal practice of cattle duffing. Alexander Clerke was law abiding and had sense of personal obligation to the upholding of law. This was evident when a police record was falsified at the Westbury police station in 1841. Clerke considered it "a duty I owe to myself and

⁵ Wardle was from Liverpool where had been transported for stealing 30 sovereigns [CSO 1/ file 14224]

⁶ CSO 5/70/1551

⁷ *Coronea Launceston

June 9th 1836

To His Excellency

Lieutenant Col George Arthur

Sir On the occasion of your Excellency's recall from the Government of the Territory permit me, as an independent member of its community anxious for its welfare to express my sincere regret at the circumstances that deprives the Colony of a Ruler under whose auspices it has Risen to its present state of prosperity. I would not probably have troubled Your Excellency with an individual expression of feeling which are too several did I not observe a few persons using every endeavour to make it appear that the contrary sentiments were prevalent but the best refutation to their opinions is the prosperity of the Colony and the security for life and property for which we are in debt to your excellencys administration

In taking leave permit me to wish your Excellency and family every happiness I remain Sir Your Obed Humble Servant

Alexander Clerke [Arthur papers A2185 Vol 25]

Colonel Arthur presents his compliments and begs to thank Mr Clerke for the very kind motive which he has induced him to address the letter which he has the pleasure to receive by last post, and assures Mr Clerke that he sincerely wishes him and his family health, and continued prosperity

Government House 15th June 1836 [GO 52/6 P.432]

the public to bring such improper conduct under the immediate notice of his Excellency". It was not clear who had done the tampering.⁸

There was a significant Irish flavour to the Westbury district. Did it go as far as a recreation of a society similar to a rural Ireland with a Protestant ascendancy? At least there prevailed a continuing influence arising from these early Anglo Irish settlers both at a local and in the bigger picture. A Irish rebel of 1789, ex-convict Richard Dry had made good and settled at *Quamby* building up vast holdings of land despite many bushranger attacks.⁹ His son became the first Tasmanian-born knight and a Premier. Wealthy Irish landowner William Bryant and wife in 1824 had established *Glenore* and in the late 30's played the role of Governor Arthur's chief enemy in Britain. These were the notable Irish settlers, whose land was often worked by numerous assigned convicts¹⁰ and as settlement intensified in the 1830's by an increasing proportion of tenant farmers.¹¹

The colonial hierarchy at Westbury in the 1830's and 1840's were largely Irish. These included a succession of Irish at the top including the resident Assistant Police Magistrate William Moriarty (1836-39), whose grant was *Dunorlan*, Joseph Henry Moore (1840-41) and John Peyton Jones JP (1841-). The District Constable in 1841 was the Irishman William Jagoe, a 'near relative' of Mrs Clerke. The first district colonial surgeon was of course Dr Jonathan

8 Unfortunately the Westbury police records, a potential valuable source both for Clerke's work as a Magistrate and the an indication of the identity if of the convicts for this period haven't survived to any great extent,

"Ravensworth, Longford

July 13 1841

Sir

I beg leave to enclose a copy of a letter to my address from Mr J.T.Cotterell Superintendent of the road party at Westbury, relative to a case tried before the A.P.Magistrate and myself. Having this day personally inspected the records of the case, and in presence of another magistrate, I find that it is the fact, that an addition has been madeI will not at the present enlarge upon this subject but consider it a duty I owe to myself and the public to bring such improper conduct under the immediate notice of his Excellency, as I conceive that no security can remain at either to the Magistrates adjudicating at Westbury or confidence be placed in the records if they can be falsified to suit any purpose

I have the honor

to be your obedient servant

Alexander Clerke [CSO 5/ 286/7570 Vol 2 P.323] P.330 ...Mr District Constable Jagoe (who is the immediate relative of Mr Clerkes. [appointed April 1841

9 ADB vol 1

10 The controversy started when Arthur withdrew Bryan's name off the list of JP's and withdrew his convict servants just prior to harvest [L.Robson, History of Tasmania Vol 1]

11 In 1838 Irish settlers William Jagoe and wife Patience Sweetnam had a tenant farm at Glenore owned by Bryan, Charles McCarty, Denis McCarty, Owen McCarty were lease holders at *Aldephi* [CSD1/61/file 1317];

Breen made a similar observation THRA Vol 37/1 *Land and Power in the District of Deloraine 1825-75*

Clerke(see chapter 2) and then followed the unfortunate Dr Marcus Loane a man of Irish descent whose drinking habits led to dismissal.¹² The maiden Miss Moriarty, sister of Captain Moriarty, had gained a 10 acre lot in Westbury, although her principal grant was at flood prone *Frogmore* worked with the help of her nephew Douglas.¹³ The first Inn in the Westbury was established in 1832 by James Whitehead, an Irish military man who had been stationed there but liked the area and stayed.¹⁴

The Irish Exile John Mitchel in describing his successful escape from VDL as late as 1853 noted when he had been hidden in Westbury by an Irish family, the Burkes, for a week "One of the peculiarities of Westbury district is that you find Irish families, and whole Irish neighbourhoods, associating together and seldom meeting foreigners; for even the assigned convicts whom these people select are all Irish. Thus they preserve, even in the second generation, Irish ways and strong Irish accents..¹⁵ Mitchell's assertions are worthy of further analysis. It is clear that some of tenant farmers of the Clerkes were Irish. Captain Moriarty did at least once look after the interests of a Irish convict Thomas Griffiths.¹⁶

Starting from the 1840's, when living at *Ravensthorpe* and *Mountford*, Alexander Clerke sat regularly on the bench at Longford.¹⁷ There, the prominent settlers of this district, such as the Archers, were largely of English descent. Some of the cases considered by Clerke have been considered by Briscoe in a previous work. The clique of settlers that controlled the public affairs of the town have been well described.¹⁸ There were certain class tensions in this small community. A correspondent in 1847 named "Jurist" raved

12 Derrick Loane, *This our fathers did for us*

13 Miss Moriarty pleaded for yet more help in gaining a town plot of land CSO 1/85/17413 Printed in Eustace Fitzsymond (James Dally), *A Looking Glass for Tasmania, Letters Petitions and other manuscripts* ,P. 256-257

14 John, son of James Whitehead would join Clerke as a wealthy conservative in Parliament in 1872

15 Peter O'Shaughnessy, *Op Cit* ,P. 99

16 CSO 1/550/12013 memorial printed in Eustace Fitzsymond (James Dally), *A Looking Glass for Tasmania, Op Cit*, P 194-195

17 LC 355 ; LC 365/1

18 J.R. Briscoe, *Dr William Paton*

"Heavens knows, though thick and thin, and the inhabitant of that 'Police Magistrate doctor-pet-Patron ridden' Township who ventures to say a word or a complaint against a member of Mr Hortle's tail makes a score of enemies by who it well for him if he is ultimately ruined".¹⁹

Of more interest to us are cases that involve Alexander Clerke as a defendant for they suggest the class tensions in the town. Four cases are considered. The first occurred in January 1846 when Clerke was charged with assault at the Longford magistrates court. The magistrates hearing the case were Charles Arthur and Charles Reid. Clerke's plea was 'not guilty' and the case was discharged. Unfortunately no other details have been discovered about this. The press are remarkably quiet about the alleged assault - which was quite unusual.²⁰

The second case occurred in a higher court when two of the ruling gentry fought out a boundary dispute in October 1846. In the Supreme Court, Mr Samuel Cox of Norfolk Plains alleged that Alexander Clerke had "down a close"²¹ on the 22 January 1846 and damaged posts and rails and other damage to the value of one hundred pounds. It appears when the new road to Launceston was built, the old road had been claimed by Clerke's neighbours, the Coxes. A witness, John Cox junior, the son of the plaintiff when reaping saw two men taking down the fence. The jury found for the defendant.²²

The third case is interesting hints at a challenge to the gentry class of the district and assertion of rights of the working class. A labourer named William Parker brought Alexander Clerke JP to the Magistrates court at Longford. On 8th March 1847 Parker, a labouring man, laid the complaint for "non-payment of wages". The *Cornwall Chronicle* and others realised the potential significance of the case and reported that "The [Police] Office was pretty near filled with spectators". It was a dispute about a verbal contract. William Parker had agreed to work for Mr Clerke, at reaping, for seven shillings an acre. Parker had cut about eleven acres with two men

19 'Tail' was a synonym for clique. Mr Hortle was the District Constable of Longford., Ibid

20 LC 362 ;CC 10 MAR 1847 ; In February 1847, another Longford JP Horace Rowecroft had assaulted his female convict servant Agnes Miller who pressed charges CC 20 Feb 1847

21 Presumably "down a close" refers to pulling down a fence

22 "I went towards them, and when I got up to the fence they were about fifty yards off, I know they were men in the service of Mr. Clarke[sic]; I saw young Mr Clarke[Sic] in the road close to the fence. I asked him by whom orders the fence between the old road and the river was cut down. Mr Clarke's farm adjoins my father's, there is a communication from his house to the old road; there is a gate leading from Mr. Clarke's into the road in dispute: Mr Clarke has lived on his farm about two years; the fence has been erected about 9 months".[CC 7 Oct 1846]

helping him in little under a week. Clerke paid him thirty shillings and the remainder owing was to be paid after Parker went to work for Mr Jacomb at Glenore in the Westbury district. In consequence of the wheat not being ripe he had left Glenore and returned to Longford to collect the remainder of his money from Clerke. Clerke refused to pay unless he completed his contract with Mr Jacomb. The Scottish surgeon, the not so wealthy, Dr William Paton, one of the magistrates present, observed, that Mr. Jacomb did not prosecute. "The witness stated that Parker agreed to go to Mr Jacomb on condition that he gave the same wages that Mr. Clarke[sic] had agreed for the work done for him; this was only a conditional agreement, and if there was any complaint against Parker for not fulfilling his contract, Mr Jacomb ought to prosecute."

Alexander Clerke tried to get the case put off for a fortnight but the principled Dr Paton, "stated that the complainant was a poor man, and the Bench must take that into consideration. It could not be supposed that Parker could afford to be kept so long." Alexander Clerke retorted "I don't consider that I owe you any thing, because you have not fulfilled your contract. I cannot say that it was to my damage, your leaving; but I have a direct interest in the land you were reaping on". Clerke also disputed the acreage cut. Possibly as a solution and a way out of directly finding Clerke guilty, the Police Magistrate suggested that the land reaped should be measured. The Bench then wisely decided that Mr. Clerke should pay according to the measurement. Brave Parker retorted "I demanded for the ten acres and a half, and if I don't get it, I shall go into Launceston. And the matter ended for the present."²³

The fourth case occurred later in the same year. Was it to reassert the rights of his class and regain his standing? In October 1847 Alexander Clerke charged three ex-convicts, Bryan Flood, John Regan and James Singer with "misconduct in engaging with him as fencers, having no knowledge of their work". Clerke had gone to the Depot in Launceston to procure fencers. Flood had offered himself as a fencer. Clerke had "cautioned him that if [he]

²³ The story occupied nearly two columns under the headline "Poor Men's wages" [CC 10 Mar 1847]. As an interesting postscript In 1854 during a session of the Legislative Council "Mr Clerke differed with Mr Kernode, being aware of the many vexatious delays often thrown in the way of servants by masters in the payment of their wages" [HTC 25 Aug 1854]

deceived me I should take him to the police office, and if he performed his work well, I would give him the same as I gave free men, that is, 1s. per rod for putting up". Flood persuaded Clerke to engage two other men, Regan and Singer, who claimed they were equally good at fencing: "I saw them, made similar inquiries of them, and gave them a like caution". He hired the three but when he looked at their attempts at fencing, "as far as I can judge, I swear positively that they know nothing about fencing".

The prisoners crossed examined Clerke. " Indeed it is not well put up, the line is not straight: there are about fifty or sixty panels, but the rails may be kicked out; they are cut as if it was intended to make feather edged".

The bench was satisfied they know nothing of the work: and the men were sentenced to three month's hard labour on the roads, each, and to pay "any damage their master may have sustained."²⁴

Alexander Clerke was a man that took his class obligations as to society seriously. He used free convict labour extensively and when in the 40's when he had to pay for labour, always was a hard taskmaster. Clerke fitted into the largely Irish hierarchy of Westbury as a JP but he wasn't lost when he relocated to the more English Longford. He fulfilled the expected obligations of his class and his heritage. He was at times involved in minor controversy often over trivial matters. When it involved wages of labourers and their standards of work the matter could be seen to be a fight between classes in which the lower orders sometimes won.

Chapter 5

The accidental member for Longford

*we must overpower them by votes on every question without any regard to very nice feelings of delicacy*¹

Following Joseph Archer's death in 1853, Alexander Clerke was elected without a contest to the vacant seat of Longford in the Legislative Council of Van Diemen's Land. Joseph Archer has been described as a man with a considerable stake in the colony. This same could be said of Clerke (see chapter 3).² Clerke may have been planning to enter politics in any event and was waiting for an appropriate opportunity. Clerke in the 1850's was no longer a 'pro-transportationist'³ and thus did not publicly join other men of property who continue to want more labour by a continuation of a system that played a large part in making them wealthy.⁴ That evil was over, said Clerke after his own election and he had rejoiced in the cessation of transportation and wished all traces of the penal character to be removed.⁵

But there was more to it. In 1847 Clerke had joined with others who favoured the continuation of transportation under a modified system. A large public meeting with differing estimate of numbers; 100 by the anti transportation *Examiner* or 200-300 persons by the pro transportation *Cornwall Chronicle* was held in May of the pro transportationists. The meeting voted for the continuation of transportation under a system where the 'evils' inherent in gangs were to be avoided and the disproportion of the sexes corrected. They wished to continue to have the advantage of free convict labor in improving the roads and other works. Clerke proposed that district memorials be drawn up, as an indication of public opinion as he was satisfied that two thirds of the community would be on their side. The

1 Alexander Clerke to John Leake 25 Sept 1854 Leake Papers Uni Tas Archives printed in Department of History, Reports on the Historical Manuscripts of Tasmania" Numbers 1-5, Revised edition

2 L. Robson, *A History of Tasmania Vol 1*, P.484

3 J. Fenton, *History of Tasmania*. P 182-183

4 L. Robson, Op Cit P. 502

5 "I rejoice in the cessation of transportation, and I shall be happy to unite with the other representatives, in legislating for the removal of all trace of a penal character from this colony" CC 13 Aug 1853 It is clear though that Clerke was still hiring convicts see chapter 4 and Register of contacts with the Convict Department for hiring convicts May '48 - Oct 57 CON/1/360, CON 30/2/354, CON 30/2/98

meeting agreed but the proposal should be acted upon only in the event of 'absolute' necessity.⁶ Sensitive egos were about. At a monster 'anti transportation' meeting on the 10 May, (where Clerke, F.M. Innes, W.R.Allison and a few others were the only dissenters) the prominent Henry Dowling had made comments about the characters of the opposing magistrates calling them "immoral and disgraceful". He further suggested that one of the magistrates had thought "one woman was enough for four men". Dowling then followed it up by mentioning Clerke in a letter to the *Examiner*, Clerke took considerable offence on the possible slur on his character and demanded an apology. Henry Reed, on the insistence of Clerke waited upon Dowling, as on a "mission of hope and peace " for an apology but the articulate Dowling had gone to print. He thought Clerke was known only to the public as a "plodding and successful settler" but now he would be known as possessing a mind of "peculiar sensitive construction". The war of words continued but not before the anti transportationist Henry Reed,⁷ the Launceston police magistrate Ronald Gunn, and wealthy pastoralist W.R.Allison and others publicly supported Clerke. Clerke, as a pro-transportationist was also interestingly a witness for the views of Frederick Maitland Innes that were misrepresented.⁸

By 1851 Clerke had changed his mind, and added his name to a memorial to the Secretary of State with other JPs for the discontinuation of transportation⁹. He then supported the 'anti-transportationist' Joseph Archer in his successful bid to gain a seat in the partly elected/appointed Legislative Council. In April of that year Clerke had also conferred with William Archer, another 'anti transportationist' of *Chesnut* regarding the Westbury elections.¹⁰ In Archer's campaign for Longford, Clerke became embroiled in controversy, which brought into play some of the opposing forces. Clerke objected to William Webb as an elector for Longford.¹¹ Webb who kept an Inn in Longford was clearly an emancipist¹² or

6 CC 8 May 1847, LE 12 May 1847, CC 12 May 1847

7 For Henry Reed's career see (Sir) Hudson Fysh, Henry Reed, Van Diemen's Land Pioneer,

8 LE 15 May 1847, LE 19 May 1847, LE 29 May 1847, LE 5 Jun 1847

9 Clerke joined other JPs including R.Q.Kermode, Theodore Bartley in "concurring in the great public movement of their fellow colonists earnestly recommend the discontinuation of Transportation to VDL" LE 29 Jan 1851

10 W. Archer Diaries, 22,23 April, 1851 Microfilm M61 Uni of Tas

11 "Advertisement

a strong supporter of the cause. Green has recently identified the extent of a 'anti anti transportationist' movement and it has significance here. There were many that were outraged by the campaign of lies and distortion of the 'hated stain' pursued by the Anti-Transportation League. The emancipists felt they had been slandered by the campaign and the free, stigmatised by it. The people who wished to see transportation to continue were numerous and were from a wide cross section of the community.¹³

Clerke's specific objection to Webb was not spelt out and may have been totally unrelated to the transportation issue but it was seized upon as if it were. Webb was a supporter of Edward Dumaesq, Archers only opponent who had long thought transportation was 'bad' but believed the discovery of gold would settle the question in their favor.¹⁴ The electors of Longford did have not have a clear choice between a pro and anti transportationist. Some electors thought Clerke's conduct was 'inexplicable' and he had insulted "an upright and estimable colonist" and urged Longford citizens to "stand their ground. Englishmen must not submit to intimidation."¹⁵ Clerke answered his critics and took pains to dispel the belief that he objected on class grounds, as he had also objected to Mr Windsor, of Christ's College, Mr Clegg, of Carrick, and others. Clerke believed that Webb's supporters had placed their advertisements to "excite the ill-feeling and animosity of one class of our community against the other."¹⁶ The two classes were those that had always been free and those had been prisoners. Webb believed that Clerke's objection was to his own 'social condition' and not property or other qualification.¹⁷ Clerke withdrew his objections and Archer won by a close 29 votes.¹⁸ The sensitive issue was to arise again in Clerke's first term in the

Emancipists Electors of Longford You were asked to reserve your votes! have you done so? you at length know your friends! their cajolery, their professed humility, their promises may be judged of from the following. Look at the lists, and see if you will put any longer with domineering faction who have made fortunes out of the thews and sinews of their fellows of their subjects.... Copy of notice of objection served upon me signed by a friend of Mr. Joseph Archer's. To the police clerk of the police districts of Longford, and to William Webb of Longford. I hereby give you notice that I object to the name of William Webb, freeholder, Malborough-street, Longford, being retained on the electoral list for the electoral districts of Longford. - Dated at Longford, this 4th day of September, 1851 (Signed) ALEXANDER CLERKE Of Mountford, Elector Freehold Estate, Longford" CC 10 Sept 1851

12 William Webbs origins remain a mystery. There is not enough information found to identify him more precisely -There were at least 24 convict William Webbs (AOT convict index), William Webb had a licence for the *Bush Inn* Longford district HTG 1 Oct 1844, 7 Oct 1845, 16 Sept 1848, E. Dumaesq meet with his supporters at Mr Webb's *Bush Inn* at Bishopbourne CC 14 Oct 1851, *The Northern Hotel* was kept by William Dean in 1861 was owned by Webb [G.W.Hudson, *Old Longford*, P.31]

13 Anne Green, *Against the League, Fighting the Hated Stain* see for example P.62, P.88

14 LE 10 Sept 1851

15 CC 10 Sept 1851

16 CC 13 Sept 1851

17 CC 20 Sept 1851

18 CC 13 Sept 1851, LE 1 Nov 1851

Legislative Council in aftermath of the Chapman/Turnbull affair where he clearly distanced himself from the 'anti transportationists' and aligned himself with the appointed members and thus to a certain extent the 'anti-anti' group (more about this later).

Clerke had personal troubles as during this period, in separate incidents, in a short period(1851-1852), Clerke had fallen from his horse;¹⁹ lost an eye, blown away part of his hand;²⁰ suffered a house fire at *Mountford*²¹ and in 1852, a privately owned bridge, of which he had shares in, had washed away in a flood. This latter event may have helped him to raise his political profile and standing in the community in June 1853 when " A Great Public Meeting vast numbers of inhabitants assembled at the *Blenheim Hotel*" and moved "that a committee be nominated to communicate with Mr Clerke for the purchase of his bridge which is in the course of erection over the South Esk".²² On 9 July 1853 Alexander Clerke was thus the only nominated candidate for the seat of Longford.²³ A potential opponent W.A. Gardner had declared but had withdrawn from the field when it clear that voters had changed their mind and transferred their pledges of votes to Clerke²⁴ " for no man yet ever had the interests of the public more at heart than Mr Alexander Clerke: he would indeed be an useful and practical man in any Legislature".²⁵

19 The first one was noted by William Archer when he called at Mountford in December 1851, on his way to Woolmers and found Alexander Clerke suffering from the effects of a fall from his horse [W. Archer Diaries, Uni of Tas 3 Dec 1851]

20 In February 1853 an shooting accident when out shooting ducks left Clerke with one eye and part of his hand missing the incident is noted in the Mountford journal Thursday 17th Feb 1853 Papa went out this morning with the intention of shooting ducks, but wishing to speak to a man, he laid his hand on the muzzle of the gun, it went off and shattered Papa's hand and [...]led his left eye, he came up supported by Mr Gable. Dr Whitfield came shortly after and Tom rode in for Dr Casey who came in an hour or two and found it necessary to cut off two of the fingers and part of the Hand." Mountford Journal, The accident was notable for it to be reported in the press "Another Accident - while out shooting at the South Esk last week, Mr A.Clerke, of Mountford, met with an accident which deprived him of the sight of one of his eyes and compelled to have three of his fingers amputated. The accident occurred through the accidental discharge of Mr. Clerke's gun [CC 17 Feb 1853]

21 " A Fire broke out in the back verandah but was quelled at last" noted the diarist in the Mountford Journal The fire was reported by the press. " Fire at Mountford, - The premises of Mr. Alex. Clerke, of Mountford, narrowly escaped burning on Sunday last. The flames were, however, arrested before any material damage was done CC 9 Mar 1853. Clerke was no doubt insured as he had been on the Launceston Fire and Marine Insurance Company. provisional committee CC. 20 Nov, 1852

22 "and also for permission to open a new line of road through his property to join the main road at the Cocked Hat, which would considerably decrease the distance between Launceston and Longford"....."It is the intention of the public to purchase Mr Clerke's bridge out the monies arising from the assessments of land, and throw it open to the public free"[HTC 23 June 1853]

23 CC 3 July 1853

24 "Mr Clerke is a gentleman whom I much respect, and the only one I pledged myself not to oppose; and, moreover, as our opinions nearly coincide, the interests of the Electors of Longford could not be served by my continuance"[CC 13 July 1853]

25 "One circumstance alone must show the public the esteem in which Mr Clerke is held in his own district- namely, that Mr Gardner being the first in the field, had secured a vast number of votes, but as soon as ever Mr Clerke commenced his canvas every man of them turned round and pledged themselves to him"[HTC 15 July 1853]

Themes that were to re-occur often in his subsequent political life were evident in his first election. He was no orator but Clerke believed in religious and civil liberty "in their fullest extent" but he looked forward to the period when state aid to all religious dominations could be refused. He believed in promoting efficient system of education free from all clerical interference ".²⁶

So on 13 August 1853 on a temporary hustings of wagons in the square of Longford Clerke was elected. James Youl reminded the assembled that Clerke had "stake of family and property amongst them". Clerke responded that he would not be shackled by pledges or by parties. This comment, often repeated by Clerke would be highly significant to events that subsequently occurred in his first term in the Legislative Council(see below) and in future(see next chapter). Rather Clerke claimed he would exercise "his honest judgement in each case for the best interests of his constituents." The other major issue Clerke was particularly concerned about was the party spirit. "But there was another evil still amongst them- party spirit. It was his hope that it would cease so that " they should be united, and instead of referring to the past, that they should make a strong pull, a long pull, and a pull together for the advancement of the interests of our beautiful island."²⁷ Evidently he was referring to the party spirit of the anti transportatists versus the pro Dension group.

17 August 1853 was the first day Alexander Clerke was present at Council²⁸ and later in the same month spoke about removing the disabilities of the Road Act "but he had never heard of no monstrous a proposition of extending the width of the Road to 200 feet: it was all very well for the hon. member for Campbell Town who had numerous flocks"²⁹ Clerke was demonstrating independence. The elected members of Council had maintained a certain 'party' discipline up to this date, bound together to defeat transportation; and had voted together consistently, usually against the appointed members.³⁰ The king makers may not have expected Clerke's independence and the *Midland Agricultural Society* who had been a significant player in the anti transportationist movement showed their disapproval. The

²⁶ "I am a friend to religious and civil liberty in their fullest extant; and I trust the period is not far distant when State support may be safely refused to all denominations""Education, I conceive to be an all important matter- I believe it is to be the first duty of the Legislature to promote, in every manner a well regulated and efficient system of national education, separated from all clerical interference. CC 20 July 1853

²⁷ CC 13 Aug 1853

²⁸ HTC 18 Aug 1853

²⁹ HTC 25 Aug 1853

³⁰ W.A.Townsley, *Struggle for self government in Tasmania*

Cornwall Chronicle suggested in its editorial that "The Midland Agriculture Society" was nothing more than a political vehicle. "the member[Clerke] has not shown himself a factious one.....we are pained however that neither Mr. James Youl, nor Mr. Abraham Walker, put wine to their lips, or rose from their seats, when Mr. Clerke's health was drunk. But Mr Clerke must be aware, and the fact is in its way, consoling, that occasional mortifications are inseparable from the public performance of public duties".³¹

There is a price for independence and it was noted in the *Mountford*³² journal. "Papa received through the post a letter of censure of his conduct in the Council, regarding Messrs Chapman & Turnbull's case, signed by 68 of his constituents including some of the influential".³³ Thomas Walker, William Archer, W.P.Weston, James A. Youl were names that led the signatures on the letter. The letter must have hurt. William Archer and James Youl were his nominators for the election. The Chapman/Turnbull case had started in late 1852, (when Clerke wasn't a member of the Council) and it caused in Robson's opinion "Denison's humiliating defeat in the Legislative Council". A motion was drafted by the largely anti-transportationists to flush out the opinions of the Government appointees of the council- the Colonial Secretary, H.S.Chapman and Dr Turnbull, who were against transportation privately if not in public. Avoiding the issue, Chapman left the Chamber without voting. Turnbull deliberately voted against Denison. Both were suspended. An address was proposed to Denison complaining about the treatment of Chapman and Turnbull as an interference of the Executive Government with the freedom of speech. The address was supported by all the elected members except Alexander Clerke and another.³⁴ Clerke had proposed an amendment whilst supporting the general thrust of the original motion, which due to "excite angry and useless debate...the subject should not be further entertained here". Clerke claimed to have the support of his constituents. "Mr Clerke rose to read a speech on the Amendment, but was interrupted by Mr Gregson, who said that it was contrary to the rules of the House for any Hon. members to read an address." The original motion passed but not with the support of the member for Longford. " No member

31 CC 19 Oct 1853

32 A one volume diary of the social and other happenings at Mountford, 1850s-1860s in various hands, QVMAG

33 *Mountford Journal*, Op Cit

34 opaquely referred to as the brother-in Law of Dr Turnbull's successor"

in the Council had a higher opinion of Dr Turnbull than he [Clerke] had: but in reference to the present motion, he considered it a most dangerous principle for the House to interfere with the Executive he should, therefore, oppose the motion".³⁵

Clerke's action over this issue upset high-minded William P Weston, and other powerful gentlemen in Longford and they apparently "raced through the district" of Longford for three weeks whilst Clerke was absent at the Council, to gain signatures for the letter of censure in misrepresenting the views of his constituents. They did not question his right or duty to express his opinion and considered themselves "honored by our representative when he votes with a candid and courteous independence". However, they wished Clerke had expressed in the strongest terms "our sentiments respecting that act of cruel oppression".

Clerke wasn't apologetic and answered his critics strongly. Only a third of the voters had signed, and according to Clerke they had believed lies and furthermore they assumed they controlled the destinies of the district, argued Clerke but had demonstrated they didn't. Clerke was thus taking no further notice of their letter.³⁶ His friends had other ideas and didn't let it rest. A correspondent to a Launceston newspaper, signed only "A Longford Elector" confirmed the censure letter contained only 66 voters, a third of the voters of the district but lamented the names of good colonists attached to "to a document emanating from a clique that has ridden rough-shod over the district for a quarter of a century, who are inflamed by motives derogatory to the characters of both representative and constituents - a document based on unworthy motives, got up by disreputable means, and in the absence of the gentleman so cruelly and wantonly assailed".³⁷ It didn't stop a more public display of support by the voters. "The friends of legitimate freedom of opinion propose to entertain the Member for Longford at a public dinner at the Blenheim Hotel, Longford, as a mark of their approval of his conduct in the Legislative Council by which he has vindicated the independence of his position as a representative, and, uninfluenced by faction or by power, has proved that he acts with a true regard to what he honestly thinks to be the best interests

³⁵ HTC 7 Sept 1853

³⁶ CC 24 Oct 1853

³⁷ CC Nov 1853

of the colony." This letter was signed by over 120 voters with a covering letter signed by Ronald Gunn, William Paton, H. Clayton, and J.H. Wedge.

Ever the politician, Alexander Clerke wisely decided not to take up their very public display of support. "the principle which I announced at the hustings- of belonging to no party, and to the best of my judgement to support every measure calculated to promote the public good, from whatever source it may emanate. ...a demonstration of this nature[ie the public dinner] might only tend to prolong political disunion in our small community". The editor of the *Chronicle* approved.³⁸

Yet it is clear from the evidence that Clerke did support the Government party and thus could be seen as a 'defector' from the elected party, causing the first 'serious rift' in the party and this became clearer with the Council Extension Bill. Clerke obviously didn't hold grudges as in 1857 and in 1859 he canvassed for Mr Weston as member for Longford.³⁹

The Council Extension Bill & Constitutional Act

During the Parliamentary session of 1854 Clerke introduced a Bill to increase the number of members of the (One third nominated) Legislative Council from 24 to 33, six of the additional members to be elected and three to be nominated. A similar measure to increase the number of members had been rejected in late 1853. By the end of 1854 after a number of attempts by Clerke, in controversial circumstances, the Extension Bill was finally passed but events, such as the new constitution Act creating a totally elected parliament, overtook the Bill's intended purpose.

Clerke's reasons for supporting and advocating this extension of Legislative Council numbers are opaque. Advocating more representatives in parliament is not usually the role of defenders of the status quo. Whilst Clerke had publicly stated a number of times the previous year that he was independent of any party in Parliament.- particularly over the Turnbull/Chapman affair- he supported the Executive. The move for extension may have been planned by the (executive) nominated members aided and abetted by such a conservative country politician as Clerke, so as to subvert eventually some of the more democratic ideas expressed in the proposed Constitution Bill (for a totally elected two house

³⁸ CC 4 Jan 1854

³⁹ .Mountford Journal 11 May 1857; Clerke's daughter Kate McCarthy Clerke married Edward a son of W.P. Weston.

parliament) being drafted at the same time by a committee that contained Thomas George Gregson, member for Richmond, and Thomas Daniel Chapman, member for Hobart (elected in 1851 and leader of the so called Liberal Party) amongst others. In Robson's view the debate on the merits or otherwise of the Constitution Bill were diverted into a debate on the increase in membership of the existing house so that they could discuss the matter of constitutional change with a wider representation of the colony.⁴⁰ So Clerke may have been genuinely driven to give the constituents in the newly settled country districts a right to representatives in Parliament but it seems likely that this was the means and not the real goal of the Extension Bill.

The real issue, being decided, was not the size of the Legislative Council but the ideas that were shaping the Constitution Bill which had been largely drafted by the Hobart and Launceston elected members. The Extension Bill appears to have been a strategy to allow the Government (essentially the appointed members of the Council) and Clerke and a few others to influence the new constitution, in favour of the country constituents (essentially the land and sheep owning class) in opposition to Gregson and their more progressive ideas. Again there are a variety of other interpretations to these matters but the persistence of Clerke and others to extend the Council during 1854, in spite of the impending constitution bill is worthy of some closer analysis.

Some possible enlightenment to these matters are apparent when accounts of the debates of the Legislative Council are considered. The evidence is quite extensive to support the view that to get an extension bill up was indeed a continuation of a political battle between Gregson, Chapman and his supporters and the Government (including Clerke) over the Constitution Bill.

A Petition :An opening blow

On 19 April 1854 Clerke presented a petition from some inhabitants of Longford in favour of an extension to the numbers in Council prior to the new Constitution. The petitioners gave two reasons: firstly there "was no objection[to an extension] in as much as the proportion of elected members [to nominated members] will be the same as present. [and secondly] a considerable portion of the colony is now unrepresented".

⁴⁰ L.Robson, Op Cit P.523

The opponents of the extension, gave the presented petition a good scrutiny and discovered a number of problems, chief of which was the fact that at least twenty of the signatures were in one handwriting. Chapman, observed that one of the alleged signatures was of E. Bisdee MLC (an appointee). Clerke didn't deny these facts and he claimed had obtained the permission of some petitioners to sign on their behalf. Clerke commented "the signatures of many inhabitants were attached to the petition, although they were not rich in lands or herds, there was no reason why they should not be represented in council." He also presented similar petitions from Westbury, Port Sorell, River Mersey and Circular Head.⁴¹

A motion was subsequently successfully moved by Chapman to appoint a select committee to determine how the signatures had been obtained. Clerke was nominated to sit on this select committee. Gregson realised that this would place Clerke "in an unpleasant position, seeing that he would in some measure be called upon to take part in proceedings which, at all events by imputation, were instituted against himself". The Colonial Secretary concurred. The final fate of this select committee has not been determined - it seems likely that they never meet. Undeterred, by the opposition's strategy on throwing doubt on the petition from the country constituents, Clerke then moved for leave to bring in the Extension Bill. "A slight pause ensued, the hon member appearing to have forgotten the forms of the House." reported the *Hobart Town Courier*. "It was intimated to him that he must go below the bar to bring in the Bill. He borrowed one from the Clerk of the House and brought it in accordingly. It was read for the first time".⁴² The editor of the *Hobart Town Courier*, clearly against the Extension Bill, suggested public meetings to be called to "crush the hole-and-corner petitions which were brought forward by Mr Clerke, the accidental member for Longford, in order to bolster up his Bill".⁴³

41 HTC 20 April 1854, Copy of petition in HTC 24 April 1854

42 HTC 21 April 1854

43 HTC 25 April 1854

The record is not clear what happen to the Bill but latter in that year, Clerke claimed he had withdrawn his bill at this stage "thinking he could not carry it"⁴⁴, although he apparently had not sought leave of the House to get it withdrawn.

William Archer had voted against the bill. He called a meeting in May 1854 at the Westbury Inn to explain his actions with respect to the Extension Bill. About 60 persons were present, most of whom appeared in Archer's view "to be well primed by Messrs Clerke & Co"; Adye Douglas moved a resolution which gave no opinion on Archer's explanation but expressed an opinion in favour of the extension of Council, previous to the adoption of the new constitution and another resolution requesting Archer to support an extension: Clerke wanted more, he wished Archer to pledge himself to vote for the Extension Bill. Archer refused and Clerke made " a flourish of trumpets to the effect that a member who does not represent the feelings of his consti[tuent]s ought to resign if called on". Douglas opposed Clerke and the matter was dropped.⁴⁵

In July 1854 Champ wrote to John Leake, a nominated member seeking support for Clerke's bill.⁴⁶ Thus probably now more sure of the numbers, Clerke on 18 August 1854 presented another Bill to establish new electoral districts and to increase the number of members of the Legislative Council. Gregson immediately pounced on a point of order and explained that a very similar Bill had been introduced in April, and had been withdrawn and could not be considered again in the same session. If it was ruled as in order, he wished to enter into discussion of the proposed Bill which he regarded as calculated to do " great mischief". Clerke digressed into an explanation why he had not proceeded with the Bill in April. He had been disappointed in the promised support of the member for Westbury(Archer) coupled with the opposition to the Longford petitions.⁴⁷ Considerable confusion descended upon the House. The Speaker ruled about the point of order but there was widespread dissent. There was doubt whether the Bill in April had been withdrawn and this new introduction could be considered a second reading. A motion was passed to the effect of

44 The Mercury 1854

45 W.Archer Diaries 10 May 1854 M 61/2 University of Tas

46 25 July Champ to John Leake Leake Papers L1/f489

47 HTC 19 Aug 1854

withdrawing the Bill that was introduced in April. The Attorney-General considered the Bill was being read for the second time. Gregson suggested that the member for Longford was for "all intentions and purposes a Government man". The Bill, Gregson contended, was a Government measure. "Better to have no Legislative Council at all than such an extension, or that the hon. members should be shot when they are asleep". Members appropriately laughed at that suggestion.

Clerke indignantly denied he was a Government man or that he had originally withdrawn the bill because the petitions he presented were discreditable to him or drew dishonour on him. Indeed, he argued, that he had done no man wrong and had been trusted by people with considerable sums of money when they had gone to England.⁴⁸

However the House was finely balanced 10 to 10 and with the Speaker's casting vote, the motion to introduce this Extension Bill lost.⁴⁹ Yet, barely a month later on Wednesday 20 September 1854, Clerke introduced the same motion for an Extension Bill again. Chapman was taken by surprise! "Better the member for Longford .. to appeal to His Excellency to dissolve Council at once". The question of extension was a pet question with the member for Longford, ranted Chapman, which he was determined to carry on in face of every difficulty. "it would be found very convenient [for the Government] to have twelve members in the House instead of eight". Gregson, predicably was against it. However with the support of the Government members the Extension Bill motion finally passed 12 to 9.⁵⁰

The second reading of the Bill was done the following day, and Clerke suggested it be sent to a select committee to get its provisions made "more agreeable and palatable to the house" which essentially meant determining what districts the new elected members were to come from. Gregson, was at his best (or worst), calling Clerke "the hon. member who had introduced the Bill for Thistles". Indeed Clerke introduced the Bill for Thistles in September 1854. The extension wasn't desired by Gregson as it increased the nominees in Council and furthermore he doubted that the Lieut-Governor had the power to give assent for the

48 "During his five and twenty year's residence in this colony no one could say he[Clerke] had done any man wrong. He had thousands of pounds entrusted to his charge by people who had gone to England, and it could never be said that he had not faithfully discharged his trust".[Ibid]

49 HTC 19 Aug 1854

50 HTC 21 Sept 1854

proposed Bill. Gregson tried to get the second reading postponed six months. Kermode wanted the motion postponed for a week.

"Further voices of the Country had to be heard" was W.R.Allison's argument in favour of the Bill. Clerke tried to answer his critics as "he was opposed to the appointment of nominees- it was not necessary to the workings of good government" and "extension was necessary before the new Constitution was settled ". He had finally shown his hand. He was repugnant to the "clause [In the Constitutional Bill] which provides for the removal of [the] Governor upon a vote of two thirds of both Houses" and to the clauses that resulted "in the whole electoral power in the hands of the inhabitants of Hobart Town and Launceston, throwing over board the greater interests of the country at large, and the right of representation for the country districts"

"Shilly shally, humbugging measure" was an interjection from the chamber. Some further delaying amendments were put and were lost. The original motion was put and passed. A select committee consisting of the Colonial Secretary, Gleadow, Kermode, Sharland, Allison, Dry and Clerke was set up to consider the detail.⁵¹ The ever watchful *Hobart Town Courier* commented: "The Council has allowed extension. The representatives of the people have been defeated by the Government Officers and their nominee adherents, sided by the unpopular members for Longford, Morven, and Hamilton. Be it so. The country must be appealed to. The battle is to fought on another stage. Let us meet the emergency with firmness and promptitude". Chapman suggested two members for Hobart Town.⁵² There was politicking in the air. Clerke had to be sure of his numbers and wrote to John Leake.

think I could gather from your conversation that you would gladly retire from the Council if you could do so without embarrassing the Executive. I am afraid that we will require your presence again in a very few days which will be extremely hard on you. And I would suggest that if you deem it desirable that you would empower me or some other friend to tender your resignation if the Gov could procure a party of your own way of thinking in your place.

⁵¹ HTC 22 Sept 1854

⁵² HTC 23 Sept 1854

You must bear in mind these remarks are entirely my own and have been induced by the manner of Dry, Kermode & Gleadow in Committee today and which assured me that we must overpower them by votes on every question without any regard to very nice feelings of delicacy. I would wish your answer by return post as I see we must have no hesitation with these gentlemen.⁵³

Clerke was thus expressing the fear of his class and time, the country gentry in particular who were threatened by a possible increase in the democratic rights of working people in the urban areas.

On 29 September 1854 the Colonial Secretary brought in the report of the committee on the Extension Bill. Chapman brought in the report of the Constitution Bill. Both bills were ordered to be printed. Clerke moved that the consideration of the extension report to 13 October.

On 17 October 1854 Clerke introduced a petition from the members of the Huon to grant a second member for the Huon. Gregson and others again doubted whether the Lieut-Governor had the power to assent to the Extension Bill. Emotions were running high. Gregson had told Sharland (apparently out of the House) "that he was a cowardly mischief-maker". A motion was passed unanimously by the other members requiring Gregson to withdraw his abusive language. He did and apologised.⁵⁴

In discussion of the *Extension Bill* on the 19th, various clauses of the bill were changed during one session while the parliament was in committee: "The Colonial Secretary said he regretted to say the hon. member for Longford had been obliged to leave the House in consequence of illness and he thought, therefore, it would be well to let the clause stand over".⁵⁵ Clerke's illness must have improved, as on the following day Friday, he was present in Council for the second reading of the Constitutional Bill.

The Extension Act was passed towards the end of October 1854.⁵⁶ But it was a pyrrhic victory as the Constitution was passed on the last day of the month without the benefit of

⁵³ Alexander Clerke to John Leake 25 Sept 1854 Leake Papers Uni Tas Archives

⁵⁴ HTC 19 Oct 1854

⁵⁵ HTC 20 Oct 1854

⁵⁶ HTC 21 Oct 1854

examination by any of the proposed new members of the Council.⁵⁷ Clerke voted against Committee's recommendation for Constitutional bill.⁵⁸

New electoral divisions under the Extension Act were created, elections took place and the new members took their seats when the Council met on 17 July 1855. The Constitutional Act was however, proclaimed in *Hobart Town Gazette* on 30 October 1855 and Sir Henry Young prorogued Council on 7 February 1856 for elections to the newly constituted parliament. Possibly for strategic reasons, Alexander Clerke didn't stand for the first election under the new constitution. Interestingly he successfully nominated the son of T.G.Gregson as the House of Assembly member for Norfolk Plains, "Mr Alexander Clerke in his usual manly and energetic manner, proposed John Compton Gregson Esq".⁵⁹ On 12 August 1856 R.Q.Kermode was nominated for Legislative Council seat of Longford. The new Parliament opened 2 December 1856.

Clerke and the Government had not won. Their intentions, if the extension was achieved in time, however would have been to undermine the more liberal and possibly radical ideas⁶⁰, that had been incorporated in the Constitution Bill by the elected members from the urban areas. Clerke and his supporters failed in this latter objective. If they had succeeded in time they may have also had a delaying affect on the introduction of the fully elected parliament and gained more representation of the country districts at the expense of the urban areas.

⁵⁷ L.Robson, *A History of Tasmania Vol 1*, Op Cit, P.

⁵⁸ Vote was 11 to 9, Carrel Inglis Clark, *The Parliament of Tasmania*, P.33,

⁵⁹ LE May 22 1856, LE 13 Sept 1856

⁶⁰ such as the dismissal of Governors by 2/3 vote of Parliament

Chapter 6

Elections & Railways

*when in Parliament never a rest till he gets out of it, and when out of it never satisfied till he has again a seat*¹

Alexander Clerke was elected to the Tasmanian parliament under the new Constitution four times representing three different seats over a seventeen year period, from 1857-1874, once to the Legislative Council and three times to the House of Assembly. This period in the totally elected Parliament has been characterised by an instability of ministries (especially in the 1870's), concentration on fiscal matters, of taxation, and the "ins/ outs" and budgets that didn't balance arising mainly from the "politics of poverty."² Whilst there were no formal parties, there was, from the start of responsible political institutions in Tasmania the evidence of the two sides of the political divide whose policies could be described as only as different in shades but one side did have an element of progressive thought. Regionalism played a large part with some ministries having either a north or south favour to them.³ So how does Alexander Clerke relate to this complex political landscape must be the key question of this chapter? The fact that Alexander Clerke was a wealthy and articulate representative of the northern agricultural landowning class could be used as the determinant factor to place him well to the right on the political spectrum and in ministries that were dominated by the northern members. Yet Clerke differed at times with the other northern members especially over railway questions and spoke of supporting issues that affected the working class. His 'Irishness' was just below the surface. His election campaigns, other agitations and speeches in and out of parliament were reported widely and analysis of some of these will provide evidence of his motivations and demonstrate a significant influence.

¹ *The Mercury* 4 Nov 1872

² L. Robson, *History of Tasmania* Vol 1, P.484

³ E.A. Vernon & M.N. Sprod, *The Whitehead Letters*

Member for Launceston(1857-1860)

Clerke stood for the urban seat of Launceston in the House of Assembly at a by election in 1857. This was ironic considering his previous efforts to reduce the influence of the urban areas through the mechanism of the extension bill(see previous chapter) but by this means he achieved the same end. His election would support the Smith/Weston ministry. The vacancy had occurred by the resignation of one of the three Launceston members, the government member John W. Rogers, a former Solicitor General who gained a judicial position in Victoria.⁴

There was speculation that Clerke would be a candidate but he was cast as reluctant. Finally he yielded because of a "sense of duty", an excuse he would use quite often in his political career. The *Cornwall Chronicle* noted that Clerke had experience and exhibited that "impracticable obstinacy and opinindativess[sic] by which sincere men are very often [show]".⁵ The election campaign was based around a succession of public meetings, sometimes rowdy where at one, eggs were thrown at Clerke. The meetings were held mainly at the Launceston hotels.⁶ At the first meeting his chief supporter was Dr C. G. Casey⁷ who proposed Clerke for the vacant seat as "he had gained a high social position in the colony by his own industry and perseverance". "How was his mansion built?" was one clever and illuminating interjection.⁸ That Clerke was Irish and that a fellow countryman had nominated him was noted. His only opponent was the newspaper journalist and pub licensee John Joseph Moore⁹ (possibly a catholic and of Irish origins) who promoted

4 ADB, Vol 2

5 CC Nov 1857

6 Meeting at the *Cornwall Assembly* room on 11 Nov 1857, *Launceston Hotel* on 12 Nov 1857, *Crown Inn* on 13 Nov and the *Dorset Hotel* on 14 Nov 1857

7 Lord Casey, *Australian Father and Son*, chapter 2 & 3; THRA 9/24-6

8 CC 11 NOV 1857

9 J.J.Moore origins are not known. He had been the printer of the *Hobart Herald* and *Total Abstinence Advocate* from March 1846-March 1847 In May 1847 he was connected with the *Hobart Guardian*. This newspaper as described by *Hobart Town Courier* as its professed object as the continuation of transportation from 26 Jan- 20 Jul 1850, while publishing the *Guardian* he also printed the *Irish and Freedom's Advocate*. From 1854 to 1856 he was the printer of the *People's Advocate and True Friend of Tasmania*. In 1854 he married, aged 41, for the second time Mrs Mary Sweeney of the Star Inn, Launceston, at Josephs Catholic Church. [Moore Correspondence file AOT] Moore, a

workers' rights and democracy but in the view of the *Hobart Town Courier*, if Moore was elected it would help to make the parliament a disgrace because he would support T.G. Gregson "a man whose conduct was a disgrace to the colony".¹⁰ In the strange community of ex-thieves, opulent settlers, and others that made up the social structure of Tasmania, it is not surprising there are further allegiances, apart from country of origin, religion, social class and other connections¹¹ amongst followers and his opponent. A possible significant one: In the previous year Moore, in his paper *People's Advocate*, had libelled Dr Casey in his role as a JP. The Crown had failed to get a prosecution but Casey's fellow JPs including Clerke offered sympathy.¹²

Going back to the election there had been press speculation that Clerke was encouraged to stand by the governing ministry.¹³ Clerke was accused of being put forward by the "aristocracy" and he was opposed by the working men. This was denied by Clerke and his supporters. But Clerke's relationship with his workers were an issue. Was a truth emerging here that could not be openly stated or reported? If not why was it an issue? Was it a tactic to discredit Clerke? Clerke claimed that he supported workers' rights and thus the fundamental rights of all before the law. He was specifically referring to the Master and Servant act that was being strengthened in Parliament and didn't believe further power should be put in the hands of the employer. "He had been a master for many years and it was never his plan to take his servant before a magistrate". Yet Clerke did use the courts often(see previous chapter). He believed commercial contract law was sufficient in any dispute with servants. A supporter of Moore, a Mr O'Brien accused Clerke of giving his servants black sugar.¹⁴ This was apparently a serious allegation but Clerke made light of this at subsequent meetings and refused to answer further questions about his domestic relationships. A supporter, Dr Maddox referred to an employer of labor who had worked for

pro transportationist was a unsuccessful candidate in 1855 for Launceston and various local government elections[*The Peoples Advocate* 15 Aug 1855, 4 Sept 1856, M. Roe Local Government THRA 14/1] *The Mercury* suggested that Moore was put forward by the 'democratic' party in 1857. [The Mercury 18 Nov 1857]

10 HTC 16 Nov 1857

11 marriages connected some of the Longford politicians

12 "Slander, vilify and defame Mr Casey on 6 December 1856", LE 21 Aug 1857, LE Jul 8, 1857 see also THRA 9/24-6

13 The main evidence for this was due to the knowledge of recent 'franked' letters that had been noticed to have been delivered to him - obviously delivered free to him because they had originated from government officers

14 Mr O'Brien produced some ration sugar as an exhibit as a specimen of what Mr Clerke gave his servants [LE 10 Nov 1857]

Clerke and his testimony was that his men were never so well treated as they had been by Mr Clerke. Alderman Allison suggested that the working men of Longford -“the democracy of the district” had brought forward Clerke as a candidate when he was elected in 1853.¹⁵

On safer ground, Clerke believed due to “the condition of the colony”, fresh taxation was needed. Just what sort of taxation he did not elaborate. Clerke was against debt but additional taxation should bear fairly on all classes. He repeated his long-held view of his opposition of state aid to religion. He was an advocate for an even distribution of grants for education.¹⁶ Clerke's supporters knew his limitations with such comments as: “Mr Clerke is a plain man, manifestly possessing a plain sound English education”. He had surrounded himself with “a large and respectable family”. “I could not say... either in private or public that he was a good speaker”. He had improved as an orator during his previous time in Council because T.G.Gregson had objected to Clerke reading from notes.¹⁷

Moore won on voices during nomination process but Clerke demanded a poll and was elected member for Launceston 334 votes to 260 votes.¹⁸ The *Examiner* commented that the majority was so small that it was a “disgrace”, nevertheless the “right man had been chosen”.¹⁹ General apathy and a flaw in the electoral law that disfranchised seven hundred voters of Launceston who had changed their residence were offered as the reasons for this low majority.²⁰ The Mountford diarist recorded that “18 Nov 1857 Mr Clerke started for Hobarton this morning to commence duties in parliament”.²¹ The press noted correctly his political allegiances when on the 19 November 1857 the new member for Launceston “seated himself on the ministerial bench” .²²

During this session in parliament, in 1858 Clerke again clashed with the opposition leader the emotional T.G.Gregson.²³ Clerke after observing “distressing scenes the house

15 LE 14 Nov 1857

16 LE 17 Nov 1857

17 IBID

18 HTC 18 Nov 1857

19 LE 17 Nov 1857

20 HTC 16 Nov 1857

21 Mountford Journal, QVMAG

22 LE 19 Nov 1857

23 Gregson behaviour was commented on during the election- The caricature of Gregson and Balfe as monkeys was produced during one rally [LE 14 Nov 1859]

witnesses within the last few days.", he was worried that "the house would not only be a by-word to the neighbouring Colonies, but business would be prevented". He therefore felt it "his painful duty" to move. "That the member of Richmond (Mr Gregson) has been found guilty of contempt and make an ample apology to the member for Franklin,²⁴ whom he has grossly insulted." The motion was carried after an amendment.²⁵ Clerke, in a less controversial mode, in November 1857, unsuccessfully advocated that the Parliament should meet in a more central part of the island²⁶ and in 1858 spoke about agricultural wealth at length at a *Northern Agricultural Association* dinner. Essentially he believed that exports had to be greater than imports and progress should be steady.²⁷

Clerke's support of the Weston/Smith ministry was demonstrated well in August 1859 when he moved a lengthy amendment, which was carried 17/10. "there exists no ground in reference to the estimates submitted to Parliament for withdrawing its confidence from the present ministry."²⁸ Yet Clerke had often voted against the Government during this session. Political manoeuvring in Parliament of this period almost defies satisfactory analysis. There is evidence that he was an independent member of the governing group. The political allegiances are clearer when Clerke supported W. P. Weston, wealthy and pious, a former Premier and an important member of the Government, in an election of October 1859.²⁹ Weston had to recontest his upper house seat of Longford due to a constitutional technicality when too many retired or resigned from the Council.³⁰ It was a two way contest between Weston and D'Arcy Murray, a newspaper owner who was supported by *Cornwall Chronicle*. A correspondent to this paper, 'Quicksilver' described Alexander Clerke and Theodore Bartley "as the two great guns of the Weston party" and scorners of tradesmen.

24 the Irishman J.D. Balfé

25 LE 6 Feb 1858, Gregson's behaviour again - seconded by Clerke LE 29 Oct 1858, see also HTC 1 Nov 1858

26 HTC 16 Nov 1857

27 HTC 8 Nov 1858

28 "that this house considers that ample opportunity of affecting any reduction in the estimates which may appear to be necessary and compatible with the interests of the public service is afforded to the house while the estimates are under consideration in committee; and that this house desires to reward its opinion that there exists no ground in reference to the estimates submitted to Parliament for withdrawing its confidence from the present ministry," LE 13 Sep 1859

29 Clerke was a member of Weston's election committee LE 29 Sep 1859

30 L. Robson *History of Tasmania* Vol 2 P.42

Cornwall Chronicle brought up the 1851 controversy about Clerke's objection to William Webb as an elector and reprinted the old letters.³¹ This tactic back fired as Webb was opposed to Murray and thus now could be seen to support Weston.³²

Clerke in supporting Weston, believed that increased expenditure had largely arisen from private members bills. This demonstrated that the ministry was not always in control of the budget. The colony was in debt to the extent of 200,000 pounds. Claims by the *Cornwall Chronicle* included "Treachery, deceit, falsehood and cunning are all brought to bear in the present elections by the ministerial party." Murray had previously offered in writing via a private letter to support the present government. This damped Murray's claim to in opposition to the Ministry.

Clerke chaired meetings of Weston's supporters at Perth and there observed that he had "narrowly watched" Mr Weston's conduct in parliament, and could not find a single instance where "Mr Weston had not acted with the greatest integrity and honesty of purpose".³³ Interestingly, Clerke was proposed to be the chairman of the public meeting of Murray's supporters at Longford. He declined as a matter of propriety as he was a supporter of Weston. He answered claims that Clerke had always voted with Weston. Not so, said Clerke citing cases of Abbott's claim and Mr Power's pension. Mr F.Houghton MHA, who had joined the opposition benches, believed there was always a "voting machine" for the government. "Mr Clerke said one of his eyes was unfortunately always shut and he had not noticed with the other what Mr Haughton stated". Weston won the election. A family matter, possibly the increasing insanity of his eldest son,³⁴ led to Clerke's own resignation from Parliament in 1860. He was criticised for resigning so close to a general election and so unexpectedly.³⁵

31 CC 15 Oct 1859

32 Letter from Henry Hartnoll, a relative of William Webb [LE 15 Oct 1859]

33 Clerke's support of Weston is interesting. Weston, in his parliamentary career shown enthusiasm for the liberty of the individual and for social reform which wasn't the motivation for Clerke. [ADB Vol 2; LE 15 Oct 1859]

34 Although it could have been a question of a prodigal son returning John Sweetnam Clerke had returned home after an absence of 2 ½ years [Mountford Journal] Alexander Clerke had taken John to court over an unknown matter in 1857 [RD 3/7 memorial 1360 Book 1 AOT]

35 LE 1 May 1860

Member for Ringwood (1862-1863)

Family matters possibly resolved and Clerke probably sensing an opportunity to help defeat T.D.Chapman's Government he stood again in the general election in 1862, in the Cressy district House of Assembly seat of Ringwood. This electorate had only a few hundred electors and it had been previously held by such wealthy men such as W.P.Weston and R.Q. Kermode prior to Clerke. Kermode did not wish to recontest as "I have ascertained that a gentleman of position and character, more immediately connected with your neighbourhood than myself has expressed his willingness".³⁶ The gentleman was Clerke and both *Launceston Examiner* and the *Cornwall Chronicle* favoured him. "He has seen clearly the cause of embarrassed condition, and a practical man knows there is only one remedy - reduction. If every member of Parliament were of a like spirit with Mr Clerke, public affairs would soon be righted."³⁷ Clerke opposed the Chapman ministry "who had exhibited an utter incompetency" to manage the affairs of the Government. He believed that Chapman had been too extravagant for the depressed times. Clerke would decrease expenditure by reducing the establishments of the Governor and heads of the departments. This would lead to the reduction of taxation. Clerke opposed state aid and would like to see education a local measure. He advocated municipal government and considered it a great school for instruction in self-government. He objected to "class legislation" and would not advocate a wool tax or any other tax that would "bear on one class of the community". He believed he could promote the interests of all classes. He looked upon capital and labor as mutually dependent on each other. He believed that taxation might be lessened not increased. In answer to the charge of being a "woolocrat", Clerke remarkably claimed "he had not one sheep in New Zealand and only possessed about 620 ewes and their lambs in this country."³⁸

This was to be the closest election of his whole political career, Clerke's opponent was the auctioneer and butcher Fred Houghton. Houghton had previously represented this

³⁶ LE 6 Nov 1862

³⁷ LE 13 Nov 1862

³⁸ LE 20 Nov 1862

electorate between July 1859 to June 1861. When the results were posted they gained 70 votes each. The returning officer, Charles Arthur gave his casting vote to Clerke. Houghton through a petition presented by Abbot to Parliament protested in vain the actions of Arthur.

39

True to his principles and his beliefs expressed in the Weston election campaign, Clerke proposed "that no unofficial member shall after the first 21 days of the session place any notice of motion on the papers of the House involving an expenditure of public money".⁴⁰ Thistles, as it had been in his Legislative Council days was again one of his concerns during this session. "On the motion of Mr Clerke the Thistles Prevention Bill was read a second time".⁴¹ But the key and significant issues had to do with the railways. In July 1857 Clerke had helped organise public meetings in the country districts to support the concept of a Launceston Western railway and at the large meeting in Launceston called for the same purpose he moved the significant motion of support.⁴² In the 1862 election campaign Clerke stated that he was in favour of railways and of the Western Railway but "should that measure not be brought forward till a future time, he would not pledge himself to its support, as circumstances in a few years might greatly alter".⁴³ This statement and previous public expressions of support to the railway would prove to be significant in his immediate and long term future in the Parliament. Dramatically, in less than a year after his close election, the electors of Ringwood considered that Clerke had "breached their faith" over the railway question. He had apparently left the house during a crucial vote and following an inquiry into the financial and engineering feasibility of the Launceston and Western railway, had

39 LE 22 Jan 1863

40 LE 20 Jun 1863

41 LE 16 Jul 1863, See also LE 24 Jun, 27 Jul 1863

42 *Mountford Journal*; Perth meeting LE 21 July 1857, Westbury meeting, Clerke elected on committee LE 25 July 1857; W.A.Townsley "The Launceston & Western Railway", THRA 3/1,P4; Motion moved by Clerke at Launceston meeting "that the local Government should at once move to take steps for the construction of a line of railway with termini at Launceston and Deloraine, it having been shewn by authentic returns, that there would be sufficient revenue to render the expenditure of 500000 pounds on such a railway immediately remunerative" The motion at the meeting was considered a very important one. He was sure that every northern member(of Parliament) would do his utmost to promote the object. [LE 29 Aug 1857] This motion was seconded by Dr C.G.Casey [CC 29 Aug 1857]

43 LE 20 Nov 1862, LE 18 Nov 1863 see also LE 17 Nov 1857. He may have had doubts dating back as far as 1855. In the old LC in a debate on the feasibility of railways "Mr Clerke- although Longford may benefit by a railway, yet he thought members should pause before, in the present state of the finances, they attempted to put the county to any additional expenses" [*The People Advocate, or True Friend of Tasmania* 13 Aug 1855]

changed his mind and was now not an advocate of this railway. Clerke in a public notice stated that if a majority of his former supporters requested him to retire, he would do so but he would be absent from the colony for a short period and would leave his resignation in the hands of Adye Douglas.⁴⁴ Feeling ran high about the issue. At the meeting at the Cressy Hotel on Thursday 10 September, electors passed motions calling upon Clerke to resign.⁴⁵ A letter to the paper demanded his resignation⁴⁶ and he obliged by doing so in October 1863. The *Examiner* believed this was the only course opened to a honest man and they wished that Clerke had mastered the issue of the railway before his election and that the electors of Ringwood should guard against "another surprise".⁴⁷ Following a large rally at Launceston, and meetings at Longford and at Cressy conducted by the newly formed *Railway League*, A.J.Horne, a supporter of the Western Railway was returned.⁴⁸

Member for Meander(1869-1871)

Railway mania was rampant during the seven year break⁴⁹ before Clerke re-entered parliament as the upper house member for Meander following the resignation of W.E.Nairn. Not surprisingly Clerke made certain that his views about railway questions were well known during the election and it seems certain that the railway question, amongst others propelled him to stand. The act required for the Launceston to Deloraine Railway had passed through parliament in August 1865, enabling a private company to be floated with a share capital of 100,000 pounds and gave the company the ability to borrow a further 300,000 pounds, the interest being guaranteed by the Government and a rate to be levied on the landowners of the district to pay for it. The north celebrated and the *Mercury* astutely commented "The Railway spirit has now fairly taken possession of us".⁵⁰ The required private company was established and the poll of the landowners was taken on the 18 December 1865 to get

44 LE 8 Sept 1863 Leave of absence for Clerke from Parliament had been granted[Moved by Douglas LE 15 Oct 1863] LE 12 Sept 1863

45 LE 17 Sept 1863

46 CC 17 Sept 1863

47 Clerke's resignation Letter LE 20 October 1863

48 Meeting of Railway League Nov 8, 1863, Elections LE 17, 19 24, 26 Nov 1863 Horne 76/ Houghton 22,

49 Clerke had participated in public debates during this period. William Archer noted in his diary that Clerke had attended and spoke at a public meeting at Deloraine to do with the government's fiscal policy "he always spoke with honesty and intelligence" W.Archer Diary Aug 1866 P.21 Uni of Tas

50 A public holiday was called in Launceston to celebrate the event was held in October 1865 [The Mercury 14 Oct 1865, The Mercury 23 Oct 1865

approval for a rate to be charged and it passed 2228 to 564. "Launceston has got its railway, and Hobart Town must now strike for one" was the *Mercury's* comment continuing a very evident north-south rivalry⁵¹. Clerke hadn't been taken with the railway spirit and he continued his opposition after the poll. The company failed to attract 100,000 pounds in shareholders funds, probably due to the depression. The northern members under the leadership of Sir Richard Dry had successfully gained parliament's approval for the paid up capital requirement to be reduced to 50,000 pounds but increasing the district liability for interest. In February 1869 Clerke, on behalf of 70 landowners had written to the Premier Sir Richard Dry over concerns that minutes of meetings the directors of the Launceston and Western railway weren't made public and the Government should insist on this; and there existed, even with government appointed commissioners, a potential to overspend.⁵² Interestingly in his election advertisements Clerke stated that he would promote in every reasonable manner the completion of the Launceston- Deloraine work but would oppose the proposed main line that would run north-south because a heavy annual tax would be imposed on a remote community which could not derive any direct advantage to it.⁵³ Clerke thought that main line would "means confiscation of our estates" and " any disinterested man with brains, who is conversant with the statistics of the colony would oppose any ministry that supports it".⁵⁴

As predicted,⁵⁵ Clerke won the election, gaining 99 votes that gave him a majority of 56 over his opponent, the main line railway supporter W.D.Grubb of Launceston. This was described as a large majority and it having a significance to the railway issue. Clerke's stated opposition to the main line would be " a sufficient guarantee that they would be faithfully represented".⁵⁶ Clerke's opposition to the main line was to no avail. There was too much support. Clerke and Cameron spoke again the bill on 7 October 1869⁵⁷ and the main

51 *The Mercury* 19 Dec 1865

52 CSD 7/21 P.92

53 LE 13 May 1869

54 LE 6 May 1869

55 because he was well known according to the press LE 20 May 1869

56 LE 12 Jun 1869, His Irish origins were again was commented on "On hearing the state of the poll three cheers were given for Mr Clerke by his countrymen the Mr M'Carthy's and others" LE 27 May 1867

57 LE 9 Oct 1869

line bill was read for the third time on 8 October 1869. Almost as a belated attempt to stop the bill, a petition was presented against the main line by residents of the River Leven on 18 October 1869.⁵⁸

Clerke resigned his upper house seat in 1871 following an electoral redistribution that had the effect of dividing the district he represented into two. Initially he planned to offer himself again as "I am not influenced by any desire to ignore my responsibilities"⁵⁹ but a few days later unknown circumstances had changed his mind.⁶⁰ At the subsequent election, held concurrent with the general election of 1871, John Thomson of Cormiston, nominated by Clerke and R.H.Douglas, Henry Gamble and Francis Belstead, all of Westbury, was elected unopposed.⁶¹

Railway matters continued to dominate Clerke's political career. The controversial Launceston and Deloraine Railway, after much over expenditure, and further changes to its controlling act of parliament was opened on 6 February 1871 followed by numerous ceremonies.⁶² Yet interestingly but understandably, the opposition to the rate was intensifying. The railway had yet to prove itself financially and show its possible benefits to the district. But the cost of the main line was being borne by the whole colony not just one district. In late February 1872 the *Mutual Defence Association* was formed in Launceston at an overflowing meeting at the Launceston Town Hall. The Mayor declined to take the chair as he was a shareholder and director of the said railway company. Other shareholders spoke in support of the Association. By the motion of Alexander Clerke its object was to oppose the railway levy "by every means legal and constitutional". Clerke opposed acts of Parliament that posed a tax on property owners to underwrite the liabilities of a private company. He believed that the rate imposed was an invasion of private rights. "...even in Ireland the rights of private property had always been respected". No opposition to the various motions were expressed and Clerke was selected to be a member of the committee

58 LE 6 Nov 1869

59 LE Aug 1872

60 LE 16 Sept 1871

61 LE 26 Oct 1871

62 B.C. Chamberlain, *Brief History of The Launceston Western Railway 1867-1904*, P.34

and as it appears, for a time, its President.⁶³ The Association was short-lived and was described as defunct in 1873 but Clerke continued to oppose the railway levy.⁶⁴ There were considerable concessions made by the Government when in October 1873 the liabilities of the district were finally reduced from 15,000 to 10,000 pounds per annum, accumulated interest foregone and the rate to cease in 1875 when the main line was to be operation. This didn't satisfy Clerke and other JPs who petitioned unsuccessfully the Governor in December 1873 to stay the collection of the rate.⁶⁵ Despite a successful passive opposition through a non-payment campaign organised by a number of prominent citizens,⁶⁶ (not by Clerke, at least, openly) of the north, the rate was collected, leading to serious riots over an extended period, that followed seizure of property, in Launceston in early 1874.⁶⁷

Due to mounting debts, poor profitability and problems keeping the line open to business, the company's assets were taken over by the government after a few more months of operation. The *Mercury*, careful to see the dispute as a district versus the colony, rather than a North-South one described it correctly. "The people of the district clamoured for the railway. They could not pay for its construction. They dunned Parliament into guaranteeing their bonds.....The district got its railway. It paid nothing for years".⁶⁸ Shortly after the outpouring of passion against the railway rate in the north, Clerke resigned from Parliament for the final time. It seems likely these prior events may have some bearing on this decision although other factors⁶⁹ may have been important. Clerke had peacefully opposed the private railway but energetically agitated against the railway levy, and questioned its profitability since 1863. He should have felt vindicated although he may have regretted the violence.

63 LE 2 Mar 1872

64 LE 2 Sept 1872

65 The *Mercury* 8 Jan 1874, see supplementary letter The *Mercury* 12 Mar 1874

66 Chief of whom was Theodore Bartley The *Mercury* 10 Feb 1874

67 The Launceston Riots see for example the *Mercury* 24 Feb 1874, Feb 9, 1874, an effigy of Adye Douglas was displayed with the word traitor on the waistcoat The *Mercury* 6 Feb 1874

68 LE 30 Dec 1873

69 As in his last term in Parliament he had been suffering for years with crippled hands, one eye, he was at this stage partly deaf with mounting family tragedies.

Ringwood again (1872-1874) -Clerke's last term

The highlight of Clerke's political career occurred at the beginning of his last term in parliament when he was asked to form a government. In the political crisis of 1872, Gellibrand successfully moved a 'no confidence' motion in the Government when it proposed a property and income tax. The motion was a mistake, as Charles Meredith, the acknowledged leader of the opposition was unable to form a ministry.⁷⁰

In the north, a public meeting in August at Torquay in 1872 called for the immediate dissolution of Parliament, further taxation measures were condemned; and a motion expressing a lack of confidence in the A.G.Rooke the MHA for East Devon was passed amongst others. The most interesting motion and in the view of the meeting the most important, was moved by Clerke who had just arrived from Launceston by the steamer 'Pioneer'. He advocated the annexation of Tasmania to the colony of Victoria and failing that, a petition be sent to the Queen seeking "immediate [direct] rule of her Government". He believed that Victoria had a progressive and fostering Government. The motion passed unanimously. Clerke stated that the present mode of Government was a failure.⁷¹ Whether this belief of Clerke was sincere is hard to determine. Another meeting at the Leven on the 9 August, with Clerke in the Chair passed similar motions but failed to get support for extracting a pledge from MPs to support annexation.⁷² At a Longford meeting on the 23 August with Mr Douglas in the Chair, at a meeting of 70-80 electors Clerke declared that "the country was fast approaching a state of insolvency....everything they had accumulated should be swallowed up". The annexation move was a serious one but it appears to have failed to get further immediate public support.

To Clerke these were desperate times and when the parliament went to a general election he decided to stand. Was he being a crafty politician, to keep the electors speculating and maybe to warn off potential opponents or was it just indecision but he took his time to decide which electorate he would offer himself? It was reported on 28 August that Clerke would be

70 F.A. Vernon, & M.N. Sprod, *The Whitehead Letters*, Op Cit, P.13

71 "That this meeting views with alarm the embarrassed position of the finances of the colony, and also up to the present time that no new Ministry has been formed or likely to be formed. This meeting is [of the] opinion that the present mode of government of this island is a failure, and prejudicial to the welfare of the colonists, it is therefore pledges itself to accelerate by all just means in its power Annexation to Victoria"
LE Aug 1872

72 LE 15 Aug 1872

a candidate for Norfolk Plains. Then a few days later it was announced that Clerke would stand for Ringwood. In early September Clerke was to contest West Devon in opposition to Charles Meredith. By 11 September Clerke finally settled on Ringwood, his son-in-law, R.J. Archer having withdrawn from the contest. He accepted nomination, writing from *Sea View* at the Leven "although not desirous to re-enter Parliament I consider it my duty in the present critical situation of public affairs."⁷³ David Landale, a young lawyer was his only opponent. Initially the Launceston correspondent of the *Mercury* gave Lansdale no hope. The election "is tantamount to a walk-over, [Lansdale] will have a ghost of a chance against the veteran with "an old stager as Mr Alexander Clerke".⁷⁴ Landale was "not regarded as a very formidable rival; certainly not as against the influence that will be brought on the other side."⁷⁵ It was well known that Clerke was "a strenuous opponent" of the Chapman administration.⁷⁶ Clerke blamed the lavish expenditure on the Launceston and Western Railway for financial problems of the colony. The differences between the two candidates policies were little. The only significant one was that Clerke opposed an income tax. He believed the colony should act in the same principles himself and cut expenditure. "It was some years since he was, or fancied he, in a position to keep a carriage and employ a large amount of labor, and he knew perfectly well he was able to pay for them; but times had changed and he had long since put down his carriage and horses, and he reduced his establishment to what he found he could pay for without getting into debt." He reminded the electors, probably unnecessarily, he was "like themselves, engaged in agricultural and pastoral pursuits, and in doing all he could to promote their interests he, of course, should be promoting his own."⁷⁷ The *Mercury* preferred that Clerke didn't occupy any position as "he would be a torment to himself and to the House. His temperament is hardly fitted for the calmness of a deliberate Assembly. His views are generally not more extreme than his advocacy of them is warm, and then he is so utterly erratic, that there is no possibility of

73 LE 10 Sept 1872

74 The *Mercury* 11Sept 1872

75 The *Mercury* 13Sept 1872

76 The *Mercury* 17 Sept 1872

77 LE 21Sept 1872

judging what course of action under any given circumstances he may pursue."⁷⁸ Elections in the various electorates were staggered and the Ringwood election was the one last to be held on 9 October and it did generate some interest. By the eve of the election "Messrs Clerke and Landale appear to be lying on their oars now, simply awaiting the result of the polling. Knowing Mr Clerke's vagaries, and having heard Mr. Landale's vagaries, and having heard Mr Landale's avowed intention to foster the jealousy between North and South, it seems of little consequence which gentleman is returned".⁷⁹ On 9 October 1872 Alexander Clerke was elected with 73 votes and 36 votes for David Landale⁸⁰. The number of voters on the roll was 167.

In October on the opening of the new parliament, the northern members were determined for a change of ministries claimed the *Mercury*.⁸¹ "They desire to rid of any rate on the railway district".⁸² Clerke expressed his opinion that this was a "miserable Island." The colony was in debt to the extent of 1,500,000 pounds. And "what did they have to show for it" was a key comment by Clerke. The Government had suggested further taxation. Clerke demanded "What they wanted before taxation was resorted to was retrenchment, and he for one would not consent to additional taxation until they had reduction affected." Obviously worried about the prospect of a northern ministry the *Mercury* ranted "There are amongst them free lances who will give allegiance to no authority, but will adopt whatever course seems right in their own eyes. Mr Alexander Clerke is evidently determined to ride his own hobby. He has so long prophesied the approaching ruin of the Colony that, to justify his gloomy forebodes he seems inclined to do whatever little he can do to bring about such a disaster".⁸³

Clerke moved his motion of 'no confidence' in the ministry on 30 October 1872 which was seconded by Charles Meredith. Later, he claimed in moving his motion his "sole object" was

78 The Mercury 2 Oct 1872

79 The Mercury 10 Oct 1872

80 A year later Landale disappeared at Mt Bishoff, presumed dead, while prospecting a tin lease [The Mercury Aug 1873, 5 Sept 1873]

81 The Mercury 28 Oct 1872

82 According to the Colonial Treasurer Clerke "has stumped the colony to repudiate the rate to defray the interest on the 460,000 pounds voted for the construction of that railway" The Mercury 1 Nov 1872

83 The Mercury 25 Oct 1872

"the public good"⁸⁴ and "He was an old man then, as he was now, but thought it his duty to come down to oust the late Ministry out of office, although personally he had the highest respect for them".⁸⁵ The alliance of Clerke and Meredith was strange and a "dishonest combination" as they had "waged almost a life-long antagonism to each other" claimed the *Mercury* and furthermore Meredith had been a champion of a property and income tax.⁸⁶

Clerke was called to Government House, and after walking there, declined to form a ministry but advised the Governor to consult Frederick Maitland Innes. Interestingly Innes had married a daughter of the prosperous Irish settler Humphrey Grey and had been a 'pro transportationist' in 1847 aligned with Clerke(see chapter 5).⁸⁷ Clerke had determined that a new ministry could be formed, and had consulted all parties, prior to his motion, it transpired later. Modestly Clerke believed he did not have the ability to be a minister. "I would not accept office for I believe myself incapable". In reality he wasn't ambitious, and he was old at 68 and considerably handicapped.

Clerke still acted as the 'Banner carrier' to the new Ministry when Innes, Scott and Meredith went on an early tour in the north. The *Mercury* noted that Clerke spoke at a meeting at the Hamilton-on-Forth and "spoke in an apologetic and pleading manner on behalf of the Ministry I think that the hon. Member spoke in an unnecessarily lachrymose strain as to the difficulties in which the Country was involved, but his opening remarks were evidently intended to prepare his audience for the disclosure that the present Ministry, like its predecessors, would despite their fair promises be compelled to resort to additional taxation to make both ends meet"⁸⁸

Clerke sat on the front ministry benches in December 1872.⁸⁹ John Whitehead correctly predicted the new ministry would short lived.⁹⁰ It only lasted only nine months. In Fenton's

84 LE 2 Nov 1872

85 The Mercury 14 Dec 1872

86 The Mercury 1 Nov 1872

87 For Innes political career C.M. Elliott hon's thesis, *A study in liberal Conservatism*. Elliott thought Innes whilst intelligent was not perceptive. He was compromiser, hardworking, independent and oscillating but not a great man

88 The Mercury 3 Dec 1872

89 LE 13 Dec 1872

90 "I don't believe they will last long but good may come of it" F.A. Vernon & M.N. Sprod, *The Whitehead Letters*, Op Cit,P.48

view none of the ministry had worked together before and they had been political foes.⁹¹ By July 1873 "the ministry had been condemned as incapable unreliable and pledge breakers".⁹² Even Clerke found them incompetent and complained in July 1873 that the House "had sat for three weeks and nothing had been done. He did not stand up as an advocate of the policy of the Government, but they had to look at the fact that the gentlemen on the other side wanted to get into office. If they wanted an Income and Property tax, let them have it but in all events let them know what they are doing".⁹³ Innes had tried to appease the opposition by withdrawing all his controversial measures except that of the railway rate and this made the fall of the ministry inevitable.⁹⁴

In December 1872 Clerke voted against the Launceston and Western Railway vesting act, and spoke against the grant of 247 pounds to the Tasmanian Council of Education.⁹⁵ Elements of progressive thought were showing in these measures but wealthy Clerke used the possible impact on the lower classes to justify his view. This higher education grant was "universally condemned as a tax upon the poor man, as a benefit for the rich. It was a crying shame that in a country like this, saddle with a large debt, such a sum should be spent on education" Clerke ranted. In June 1873 he believed that Port Arthur as a penal establishment should be done away with as "time has now arrived".⁹⁶ In July 1873 he was in favour of a duty on bottles.⁹⁷ He voted against extending the telegraph to Spring Bay (17:1) and against the new Huon road. "The propensity to borrow money in his opinion be checked".⁹⁸ Clerke objected to the 272 pounds spent on the Salmon and Trout Establishment. "Mr Clerke thought this item was a waste of money and should like to know when it was to stop".⁹⁹ In 1874, he spoke in favour for the deceased wife sister bill that enabled marriage following a wife's death.¹⁰⁰ On reducing expenditure on the Queens

91 The ministry "was a political blunder" J. Fenton, *History of Tasmania*, Op. Cit., P.344

92 The Mercury 5 July, 1873

93 The Mercury 3 July 1873

94 C. M. Elliott, Op. Cit, P.15 The Mercury 31 Jan 1873

95 The Mercury 18 Dec 1872

96 "Mr Clerke congratulated the House on the tone and temper which pervaded the discussion, and said that the time has now come when the Port Arthur Establishment be done away" The Mercury 25 June 1873

97 LE 13 July 1873

98 The Mercury 8 Oct 1873

99 The Mercury 24 July 1873

100 "astonished him that at the end of the 19th century they should be taking up time with consideration of a measure which was founded on reason and common sense" LE 5 Jul 1874, The Mercury 4 Jul 1874

Asylum (the orphan schools) "he carefully watched the operations of this institution for upwards of 40 years he regretfully never noticed any good results from it".¹⁰¹

The significant issue that concern him however was the proposed income tax. He thought that an income tax was "a tax in perpetuity"¹⁰² The bill introduced by the Kennerley government was defeated in October 1873.¹⁰³

Clerke proposed a motion for the payment of members. That he advocated payment of MPs was a great surprise considering the financial situation of the Colony, and his previous attitude to expenditure and other reductions. It was widely condemned. The *Mercury* thought Clerke was attempting to "loot" the treasury of 4000 pounds. In 1872 when Millar proposed a similar motion to pay member Clerke thought "many good men could not forward because they could not bear the expense".¹⁰⁴

In April 1874 he retired from parliament citing the "consciousness of an increasing inability to discharge the duties devolved on me" and as there were a number of electors qualified to take his place. He believed that they would have an opportunity to discharge "one of the first and most honoured duties of a citizen to the state". The *Mercury* believed it was a graceful retirement and Clerke "deserved to be complimented on the ability he displayed in compressing so many pretty sayings into so small space"¹⁰⁵ It was faint praise. A few days latter in what seems to be a major reversal of his political position he had held for years when at the inaugural show of the *Devon Agricultural Association* he lamented the miserable failure of the late Innes' Administration and added that the present was the best Ministry the country had seen for years.¹⁰⁶

Alexander Clerke thus had sat on the ministry benches(not as a minister though), at least, during the Smith/Weston(1857-1860) ministry and was instrumental in the formation of the

101 The Mercury 23 Jul 1873

102 LE 4 Oct 1873

103 LE 25 Oct 1873

104 The Mercury 20 Dec 1872

105 The Mercury 14 April 1874

106 The Mercury 1 May 1874

short lived Innes(1872-1873) Government. Clerke often professed to be a 'liberal', maybe as a political manoeuvre and voted against the ministry he clearly supported. His political career was not without controversy and contradictions. Clerke was a man of his word, but he could change his mind, and spoke his mind which caused him some considerable difficulties with his supporters. He was a key player in many elections in the north. Clerke, in and out of parliament continually pressed (or agitated) for the ever popular, age old, conservative measures of a smaller public service, reduced taxation, balanced budgets and limited support to public enterprises such as railways. It was in relation to this latter matter that caused him the most difficulties but gave him the most opportunities to further his interests in parliament. Yet in addition Clerke had a well developed 'sense of duty' and responsibility to his adopted country. He had the obligations as a man of his class with wealth and time. He had confidence in his own abilities, knowledge and opinions; this combined with his Anglo Irish heritage drove him in an inevitable manner to expend much energy to the political game.

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Appendix A

Irish Deeds

A Sample of Irish Clerke and Sweetnam deeds

All the originals of these deeds are at the Registry Of Deeds, King's Inns, Henrietta Street
Dublin (Photocopies/Abstracts with author)

1754

Lodged 13 Feb 1754

[Abstract]

A memorial of the assignment of a deed Poll made between Richard Tonson of Bridgetown in the County of Cork Esq and Thomas Clerke of Skibbereen in the said county, Gent dated 25/June/1746.. the said Richard Tonson did demise and set unto the said Thomas Clerke his exe. and ors and assigned all that and those the lower part of the land of Coolnagwatane as the same runs below the Road leaving Skibbereen aforesaid to Maulbrack contain by estimate four Greeves to be the same more or less lately enjoyed by Timothy Carty otherwise m_yan[a?] and then in the tenure and occupation of Howell Farmer to have and to hold the said demised premises will.. from the 1st day of may next before and during the natural lives of him the said Thos Clarke the above named Howell and Mary Howell his wife ..£14 a year for the first year..£13 for each year following witness Anna Wood of Dorrcepys, Widow, by Dominuk Punch of Skibbereen, weaver, Michael Gould of Dunmanway, Edward Moriarty of Skibbereen. [Deed 162/583/111643]

1768

Thomas Clerke of Skibbereen Gent Demise unto Timothy Clerke of Skibbereen Gent all that and those the half plowland of Banolon with mills and liberties as the same held by the said Thomas Clerke and John Sullivan. To hold the said premises unto the said Timothy Clerke for and during the lives of John, Adam and Richard sons of the said Thomas and after their several deceases then to the said Timothy his sons

& Adm. and assigned for the term of 61 years held by the virtue of the lease made by John Beecher and Richard Beecher of Holybrook date 4/Sept/1768 [Deed 304/154/2011263]

1780

A memorial of an Indented lease made the eighteen day of may one thousand seven hundred and eighty between John Clerke, Gent, son of Thomas Clerke late of Skibbereen in the county of Corke deceased of the one part & John Young of Skibbereen in the said county gent of the other part reciting John Beecher late of Hollybrook in Sd county of Corke Esq deceased & Richard Beecher oldest son & Heir at Law of the said Beecher did by indenture of lease bearing the date on or about the fourth day of september one thousand & sixty eight Demise set & to farm Let unto the said Thos Clerke all that & those the half plowland of Banalon and liberties situate in the Barony of West Carbery for the appurls for and during the natural lives of John Clerke Adam Clerke and Richd Clerke at the yearly rent of thirty pounds sterlg and further reciting that whereas said Thos Clerke is now dead but previous to his death did make his will in writing and did thereby bequeath all the said Thms Clerke's Estate & Interest in the premis aforesd to the said John Clerke as by said will duly proved may appear and reciting the sd John Clerke hath agreed to sell his interest in the said premises(so bequeath to him as aforesaid & unto the said John Young which said Indenture witnessed that for consideration therein mentioned said John Clerke He the Sd John Clerke hath given garted bargained sold assigned and made over unto the said John Young his heirs, executor adnor and assigns his the said John Clerke's Interest in said lands above mentioned to hold to him the said John Young his heirs and Admor and assigns subject to the lives and years as in said lease mentioned: which said deed is executed by the parties thereto, and witnesses by Richard Wright and Thomas Clerke and this memorial is executed by the said John Young (seal) and witnessed by the said John Young (seal) and witnesses by Thos Clerke Tim Clerke [Deed 340/335/229443]

Registered 10 Dec 1782

A memorial of an Indenture deed made the seventh day of November 1780 between Edward Mansell Townsend of Whitehall in the County of Corke Esq & Richard Wright of Bridgetown in said co of Corke Esq of the one part Timothy Clerke of the Town of Skibbereen said county Gent of the other part reciting that, whereas the said Edward Mansell Townsend and Richard Wright hath demised set and ___ unto the said Timothy Clerke all that and those the house Outhouse & garden in the Town of Skibbereen aforesd which Margt Galway enjoyed lagn with the part of the Land of Coronea formly held by Dennis Hagarly & under the well known meases and Bounds there of and now in the possession of the said Timothy Clerke excepting and esewing to the said Edward Mansell Townsend and Richard Wright as in said lease is excepted to have and hold the said premis with the appeirs unto the said Timothy Clerke his exer admins and assigns from the 1st day of Nov Instant for and during the natural lives and lifes of the said Timothy Clerke party here to Thomas Clerke his eldest son aged 19 years and William Clerke his third son aged fourteen years and the survr or longest of them and from and after the Decease of the survr or longest live of them for and during the full time and term of sixty one years from thence next ensuring fully to be completed and ended ...Executed by the parties thereto and witnessed by Henry Jones & John Connor this mem. executed by Timothy Clerke and witnessed by said John Conner Gent and Thos Creech of the said County Carpenter Timy Clerke (Seal) [Deed 234320]

1795

Removal of Indented lease dated 15/June 1795 made between John Sweetnam of Mardyke in B.West Carberry Stephen Sweetnam of the same place sd son of the said John Sweetnam of the second part and John Young and Richard Hull Lewis of Rowe of the third part said John Sweetnam was seized of an estate [fee] simple in the Town and Lands of Dromadue of an estate of freehold of two lives and a term of 21 years in reversion in the Town and Lands of Coolnagarrure of an estate of Freehold for one life with house and demise Lands of Mardyke..£30 to Stephen Sweetnam, as long as he should reside in the same house as his

father..Witnessed by Thomas Clerke and WM Clerke of Skibbereen.[:Deed 502/511/326359

Author's Abstract]

1831

Memorial of an indented deed of assignment bearing date the nineteenth day of April one thousand and eight hundred and thirty one made between Florence McCarthy then of Croufhaven[?] in the county of Cork Gentleman of the first part Hellen Clerke then of the town of Skibbereen in the same County Widow and Thomas Clerke then of Skibbereen aforesaid Gent. acting Executrix and executor of the last will and testament of William Clerke formally of Skibbereen Mills in said County Esquire and then deceased who was mortgagee who was mortgaged of a certain part of the lands and premises thereafter mentioned under and by virtue of a certain Indenture of Mortgage bearing date the twentieth day of November one thousand eight eight hundred and thirteen thereafter recited and which said Hellen Clerke was a such Executrix also Mortgaged of one other part of the lands and premises therein after mentioned under a certain indented deed bearing date the thirteenth day of November one thousand Eight hundred and fifteen also thereafter recited of the second part and John Clerke then of the Mills of Skibbereen in said County Esquire of the third part, whereby after reciting as therein recited, the said Florence McCarthy, Hellen Clerke and Thomas Clerke did according to their respective rights, for the considerations therein mentioned and at the instance and request consent and approbation of the said Florence McCarthy who was entitled to the Equity

Appendix B

Assigned convicts and free servants of Alexander Clerke

(A Sample)(1832-1855)

1832

Millington, James, 16, Labourer, Warwick, transported for stealing trousers, 7 years, Birmingham, *Lord William Bentinck*, Appropriation list, 1832, [CON 31/30]

Spilsted, Stephen, 41, ploughman, Suffolk, sentence 7 years, *Lord William Bentinck*, Appropriation list

Wardle, James, *Red Rover*, Liverpool, Life, transported for stealing 30 sovereigns "March 27 1832 Clark[sic]/ neglect of duty in getting drunk whilst driving a cart from Launceston and thereby losing a case of wine, 50 lashes/MLS." [CON 31]

20 Nov 1832, " Neglect of duty in loosing Three Waistcoats the property of his master and absenting himself three days without leave" " To be imprisoned and kept to Hard labour Six months and discharged from his service Recommended that he be worked in the Bridgewater Chain Gang [CSO1/file 14224]

1835

Durbidge, George, *Layton*, [CSO 1/ file 17773]

1837

James Bromhall & May Cohen lived at *Coronea* - labourer [Baptism record 1837]

1840

Walsh, Patrick, TL,

1842

Ward, Patrick, 15, *Layton*, May 1842

Davis, William, July 1842

1843

Dooling, Sereacis,(413), 1844, Bombay, 1843, 14 years, hired by A. Clarke[Sic], [HO 10/41]

1844

Giffiths, Thomas, *Barrosa*, "misconduct & disobedience of orders, [LC 362/6 22 March 1844] guilty: Admonished, 22 March 1845 [LC 362]

Loans, Henry, 7, *Susan* 2, [LC 362/6 5 May 1844], [5 May 1845, LC 362]

Timothy Murphy, 7, [21 April 1844, LC 362]

1845

Connolly, Michael, 10, *Prince Regent*, [4 March 1845, LC 362,]

Ablitt, Charles, Misconduct being out of hours, [17 April 1845 LC 362/6]

Moran, Patrick, *Lady Raffles*, 19 Sept 1845 [LC 362]

1847

Ion, Thomas, 15, *Susan* 2, [LC 362, 1847]

Mutch,Edward, 7, *Forfarshire* [LC 362, 1847]

Jones, Fredk Thomas, *Cressy* ,10 [LC 362, 1 Nov 1847]

1853

Gale, Aaron , free immigrant, "Aaron was engaged by Alexander Clarke[sic], flour miller of Longford, with a salary of 50 pounds for six months with rations" [Delima Carne, *The Gales Blow in*, P.7]

1854

Connelly, Patrick *Ld Auckland* (3) TL Aug 54 [POL 39/2/2 & LC 355/1]

Gillegare, Thomas, *Emily* (2) Sept 54 Port Sorell return 4/12/56

1855

Patrick Monaghan, *Waverley*

Jun Onions,

Margaret Quin,

Doyle Durkey, TL of Aug 49, 7 years, C, single

Dwyer, Nicholas, *Duke of Richmond*, Feb 53 date of TL, life, Catholic, single

Appendix C

The Clerke Family

The Clerkes had a large family and suffered more than their fair share of family tragedies. They had ten children, nine (4s 5d) surviving to adulthood. They were initially educated at home by tutors¹ and the boys were sent to private schools at times including *Launceston Grammar*, *Longford Grammar*, *Christ College* and *Hutchins* in Hobart Town. Only one child, the youngest, Alexander gained a university education attending Trinity College, Dublin before training as an engineer and surveyor. He had significant period of time overseas in Ireland, India, and then South Australia before returning to Launceston in 1878. None of the boys, it appears gained the same level material success by their own efforts nor did they have the extensive public influence in life as their father. Only one son, Thomas Moriarty Clerke, sought a political office but like most of his ventures it did not succeed. The girls married well in the colonial gentry. Most of the Clerke children seemed to have lived interesting lives but the main aim of this appendix is to note events of interest that may have affected significantly the elder Clerkes decisions. And it wasn't all tragedy. The large mirrored ball room at *Mountford* was added during Clerkes residence there, with the repute to increase the chances of his daughters marrying. The many balls and other social events that the Clerkes attended are noted in the Mountford journal. Interestingly a family picnic took precedence on a Wednesday in November 1858 when Leake and party were to visit overnight.² The family tradition that Alexander flogged his sons every Sunday reasoning that they would had done something wrong during the week and thus deserved it, is probably a myth.³ The Clerkes regularly travelled to Melbourne and Sydney and had at least one trip to New Zealand. to visit their children and grandchildren until Alexander died in 1877. From

¹ In 1845 and 1847 Alexander advertised for a tutor for his children. [LE 15 Feb 1845, LE Jun 1847]

² "Mountford Longford

My dear Mr Leake,

We shall be delighted to see yourself and party on either Wednesday or Thursday or any other day To you we shall be at home all day tomorrow on Thursday we proposed going out to a picnic but will be home in the evening then must not prevent you as you will find a young lady to receive you hoping to have the pleasure of seeing you here tomorrow or the day after I shall now my adieu

Alexander Clerke

Tuesday Evening

9/11/58" [L1/B362]

1860's Mrs Clerke, as mothers do, maintained a regular correspondence to Kate McCarthy Weston and obviously to her other children up to right up to her death in 188., dispensing gossip with advice. Friendships and contacts that have been maintained with other early Irish settlers are noted in these letters. Dr C.G.Casey is often mentioned as their doctor of choice as well as a Miss Moriarty who appears to have been a close friend and a live in companion.⁴ The eldest son **William Clerke** (1832-1896) was elected a road trustee for Devon. In 1856 he had taken his "station" over the Newry flour mill in Longford that just been purchased by Alexander.⁵ It wasn't all work, as in 1859 William was one of the stewards for the Longford Grand subscription Ball.⁶ But a tragedy was emerging. In 1867 Annie Clerke gossiped to her Aunt "Have you heard William Clerke had gone out of his mind on religious matters? .. He is now better but the doctors recommend his being put under proper treatment which his family object to - he always been very queer, but Baxters book on the end of the world & the Longford Regatta quiet upset him- He fancies Robert Archer is Anti-Christ"⁷ In 1868 William was admitted to New Norfolk asylum with certificates from Drs Wigan and Appleyard. His father claimed that the cause of his delusion as the 'Saviour' was an injury to the head resulting from a fall from a horse". Apart from a few short discharges in the 1870's he remained in the hospital until his death in 1896. William may have had a natural child James born 18 October 1861 by a Elizabeth Gurney at Westbury.⁸

John Sweetnam Clerke (1835-1875) was a master mariner. He was for a time the chief mate of the *Pirate* and the steamer *Lady Bowen*. On 7 November 1861 John married a first cousin Ellen Ada Sweetnam at Schull County Cork. They settled back in Australia, in Sydney and for a time at Longford where John was involved in an unknown legal matter with his father that when settled gave a judgement in Alexander's favour. John and Ellen had at least four children, but after John's early death the family returned to Ireland and remained there. The rents from farms in Tasmania sustaining them. He had died tragically in boating accident in Gladstone Queensland on 12 November 1875.

³ private correspondence with Keith Kennedy Tyson

⁴ It is unclear which Miss Moriarty this is, but she appears to a friend of long standing. Most likely Miss Anne Moriarty b Ireland died 16 Oct 1866 - from a Clerke family bible [Clerke Family file Author]

⁵[Mountford Journal, see also CC 20 July 1853]

⁶ CC 27 Aug 1859]

⁷ Anne Archer, at *Panshanger* to Jane Clark [RS 8/4/7]

⁸ RG birth records

Thomas Moriarty Clerke (1837-1891) had an eventful childhood. The driver of Captain Richie's carriage had assaulted Thomas with a whip when he was 10 years old. Alexander Clerke gave evidence in the successful prosecution.⁹ Thomas may have been bright for as a student at Longford Grammar School he won prizes for reading Latin.¹⁰ But one would imagine if his academic abilities sustained he should have trained in a profession. At the time the problems arising with his eldest son, Clerke may have decided early on that Thomas would inherit most of the estate and therefore didn't require the backing of a further formal education.

In 1852 Thomas was involved in the drama of the major flood at Longford, the Mountford diarist graphically described.¹¹ In 1853 Thomas was admitted to the *Hutchins* school¹² and in 1861 he married Helen Alexander Paton, youngest daughter of the late Dr William Paton of *Belmot* Longford. Alexander then set up Thomas as a commission and produce agent at Invercargill in New Zealand. But the business was not a success and he returned and settled at Penguin where again he set up stores and became the Harbour master and customs agent there. Thomas was a JP and a member of various local bodies including a time as the president of the school board and the Agricultural society of Penguin.¹³ He was interested in

9 "Mr Alexander Clerke stated that on Wednesday evening last, his son, who is ten years of age, complained to him, that as he was returning home from school on foot, he met a carriage driven by William Fielding who is in the service of Captain Richie, when the said William Fielding unlawfully assaulted his son Thomas Clerke by striking him with a whip across the shoulders, and this without provocation. This evidence as to the assault was confirmed by one of Mr. Clerk's sons. For the defence Mrs Richie was called who proved she was in the carriage at the time the assault was committed, which was merely a slight touch of the whip across the boy's head, in consequence of his getting in front of the horses which compelled the coachman to pull up. Fined 5 shillings and costs" [CC Dec 1847]

10 CC June 1850; A letter to one his brothers survives "Oct 8th 51[?] My Dear brother to excuse myself for not writing to you sooner that I did is rather a difficult matter all that I can say is that I received your letter just as I was going home to spend the hollidays[sic] and during that time I was bussy[sic] I only hpe that you will not be so long in writing to me as I was in writing to you. I lent your letter to Mamma and she cannot find it therefore I cannot answer it minutely I like all the boys very well. A curious circumstance happen here the other day A boy of the name of Evans ran away and two boys went after him and found him down near the Punt and brought him back and Mr Boyd gave him a whipping and told him he might if he liked not mean in what he said but Evans took him at his word and was going home when Mr Boyd stopped him I have nothing more to say to you. Respecting James Mann who drowned I was summoned to his inquest and the only way I could distinguish him was by his trousers remain your affectionate brother Thomas Clerke." [Photo copy of original in authors possession]

11 "papa sent Thomas Clerke with Charles McNeven to get a boat, for the relief of our boat, they first called at the Mill but they did not succeed in getting e they then went round by the bridge to Brown's at the Tannery for the same purpose but filed, as they were going up the road towards the punt they met the Cook who told them that the Punt boat was swept down the river and their last resource was at Mr Noakes who finally lent them his boat they got down to our boat(with much difficulty) which was tied to a limb of a tree. Thomas Clerke caught hold of the stem of our boat and the cook got out of Noakes's boat into ours, and went forward then Thomas Clerke & McNeven got into our boat and were considering what plan to take when to there[sic] great surprise the cook unfastened the fastening of our boat from the tree and the last he saw of them was the cook clinging the boat and McNeven grappling for a log but unfortunately the painter of Noake's boat having by chance remained by Thomas Clerke's tree, he starped down and go the painter and made it fast to a limb of the tree in which he was and thereby saved the boat. Neven laid hold of a log, and got to a tree and was saved by Brown's boat and as to the cook it is feared he went to the bottom. Thomas Clerke after waiting for about three hours in the tree and save many unabaiting efforts to reach him, Papa went up to procure Mr Poolers whaleboat which rescued him. Strange and eventful day he and father witnesses the taking away of the Longford Bridge even after this event the flood reached an unprecedented hight[sic] being 3 feet in the cottage formerly Kings[?] the occupants had to leave and come to Mountford."

12 Hutchins School Admission Register AOT

13 *The North Coast Standard* 7 Mar 1891

politics¹⁴ A notable occasion was when Thomas shared the limelight with his father in proposing a toast to the military at an Agricultural Society dinner in May of 1874. His father proposed a toast to the government.¹⁵ Of all the children Thomas appeared as the only possible successor to follow Alexander into politics but he died at a relatively young age of 53.¹⁶

Ellen Elizabeth Clerke (1839-1875) was born at Skibbereen during a prolonged visit by the Clerkes to Ireland. She became the wife of Robert Joseph Archer but died at the age of 36 of a lung complaint.

Of **Fanny Sweetnam Clerke**(1844-) little is known apart from a tempting letter, that suggests that mental problems may not been confined to William "Fanny Clerke I am told is very queer, & has an eruption over her face so badly she was not able to go to dances or to the ball"¹⁷ In spite of these afflictions Fanny married William Douglas and they went to New Zealand to live.

Kate McCarthy Clerke(1846-1899) married Edward a son of W.P.Weston. **Aphra Gertrude Elizabeth Clerke** 1847-married W.H.D.Archer and her twin **Caroline Helen Clerke**(1847-) married Thomas Mander.

The youngest, **Alexander Clerke**(1848-1923) career can be well followed by a series of letters to his sister Kate dating from his school days as a boarder in Launceston. He is the only one to train formally for a profession and for this reason was sent back to Ireland. His father had planned that he would become a lawyer. Alexander jnr liked the idea of going to Ireland but not to become a lawyer although "If papa wishes me to be lawyer I will devote myself wholly to it " he wrote to his sister Kate. He was in the 1860's at Kilkenny College and then at Trinity College where he gained an Arts degree. In 1871 Alexander Jnr had travelled to London and had visited and was impressed by Henry Reed. He has been armed with a letter of introduction from his father. Alexander returned to Ireland to train as an engineer¹⁸

¹⁴ NS 234

¹⁵ The Mercury 1 May 1874

¹⁶ *North Coast Standard* 7 March 1891

¹⁷ Anne Archer Clark Weston Papers RS 8/4/7

¹⁸ "I arrived here this morning from London where I was making inquiries to ascertain what Engineer is most advisable to bind myself for a year, and I have at length come to the conclusion, after having done everything in my power for this object, to return to Ireland and become a pupil for a time to a Mr Barton of Dundalk, Co Louth one of the ablest engineers in this country and an earnest Christian gentleman.....In the course of my inquiry, I called upon an old gentleman Mr Henry Reed, now

From there his career carried him to Calcutta, Bengal, Madras and then to South Australia for a while before returning to Tasmania in 1878 where after his first wife died he remarried and worked as a surveyor in Launceston.¹⁹ A son Arthur became a Rhodes scholar and a barrister.

residing at Tunbridge Wells to whom Papa gave me a letter of introduction . Being invited I spent a night at his house called Dunorlan which struck me to be the finest and most highly decorated I was ever in, that is, of course as a private residence. The grounds were keeping with the house, beautifully laid out. Expecting to find a stiff fashionable gentlemen, I must say I was agreeably surprised to find my host a plain unpretending person and more than all a Christian of much fervor in spirit” [Weston papers QVMAG]....

¹⁹ Weston papers QVMAG

Tasmanian Clerkes Family Tree Chart 1

Alexander Clerk Esq

of Mountford Longford Tas

b.17 March 1804 Ireland
d.20 March 1877 Tas
m.19 June 1828
Abbeystrewry Parish Church
Skibbereen Ireland

Frances Gertrude Sweetnam

b 22 Sept 1805 Ireland
d 20 Mar 1881 Tas

1.William Clerke

b 9 Nov 1832 Tas
d 6 Feb 1896 New Norfolk Tas

2.John Sweetnam Clerke

b 6 Apr 1834
d 12 Nov 1874 Gladstone QLD
m 7 Nov 1861 Skull Ireland

Ellen Ada Sweetnam

b c 1842 Schull Cork
d.26 Nov 1924 Dunluce Co Wicklow

3.Thomas Moriarty Clerke

b 9 June 1837 Westbury
d 3 Mar 1891 Penguin
m 7 Mar 1861 Longford

Helen Alexander Paton

daughter of Dr William Paton of
Belmot

4.Ellen Elizabeth Clerke

b 2 Mar 1839 Skibbeeren Irl
d 23 Nov 1875 Longford Hall
m 28 July 1859

Robert Joseph Archer.

son of William Archer of *Brickendon*

5.Alpra Frances Clerke

b 11 Feb 1842 Tas d.10 Mar 1843

William Speer Clerke,

Captain 9th Batt Kings Royal Rifles
b 18Nov 1870 Tas

d 28 Dec 1903 Dublin,

m. Jessie Margaret Constance

Stephen Sweetnam Sydney

Clerke medical student

b.10 Feb 1867 Sydney

d. 2 June 1889 Dublin,

Maria Long Sweetnam Clerke

b 8 Dec 1864 Tas

m 8 Jan 1890 Richard Walton Long

Alexander Francis Clerke

Gertrude Isabel Clerke

b 1862 NZ

m 24 Jan 1890

Osmond Mortimer Wigan had issue

Madeline Eliza Clerke

b 1864 NZ

m 15 Apr 1895

Bernard Cecil Green, Town clerk of
Devonport had issue

Florence McCarthy Clerke

b 19 May 1865

d.25 Dec 1928

m 17 Nov 1890

Annie Marie Grant had issue

Frances Helen Clerke

b 1866

m 9 Nov 1891

Charles Lowther Weir had issue

Margaret Annette Vivienne

Clerke

b.27 May 1872

m(1) E Gerrand had issue

m(2) Morrish MP NSW

Male

b 1875

William Gordon Daniel Archer

1860-1862

Alexander Archer

b 14 Dec 1861 Mountford d 1945

BA (Camb.) Lawyer

Caroline Edith Hope Archer

b 25 Aug 1864

Robert Lisle Archer

b 9 Dec 1865 d 4 Mar 1866

Robert Archer

b 14 Feb 1867 d 9 Mar 1867

Eva Clerc Archer

b 9 Nov 1868 d 14 Dec 1868

Coral Archer

b 29 Jul 1870

Nellie Evaline Archer

b 26 Oct 1872

Frances Mabel(May) Archer

b 4 May 1863 d 29 Nov 1950

m Claude Rock had issue

Tasmanian Clerkes Family Tree Chart 1

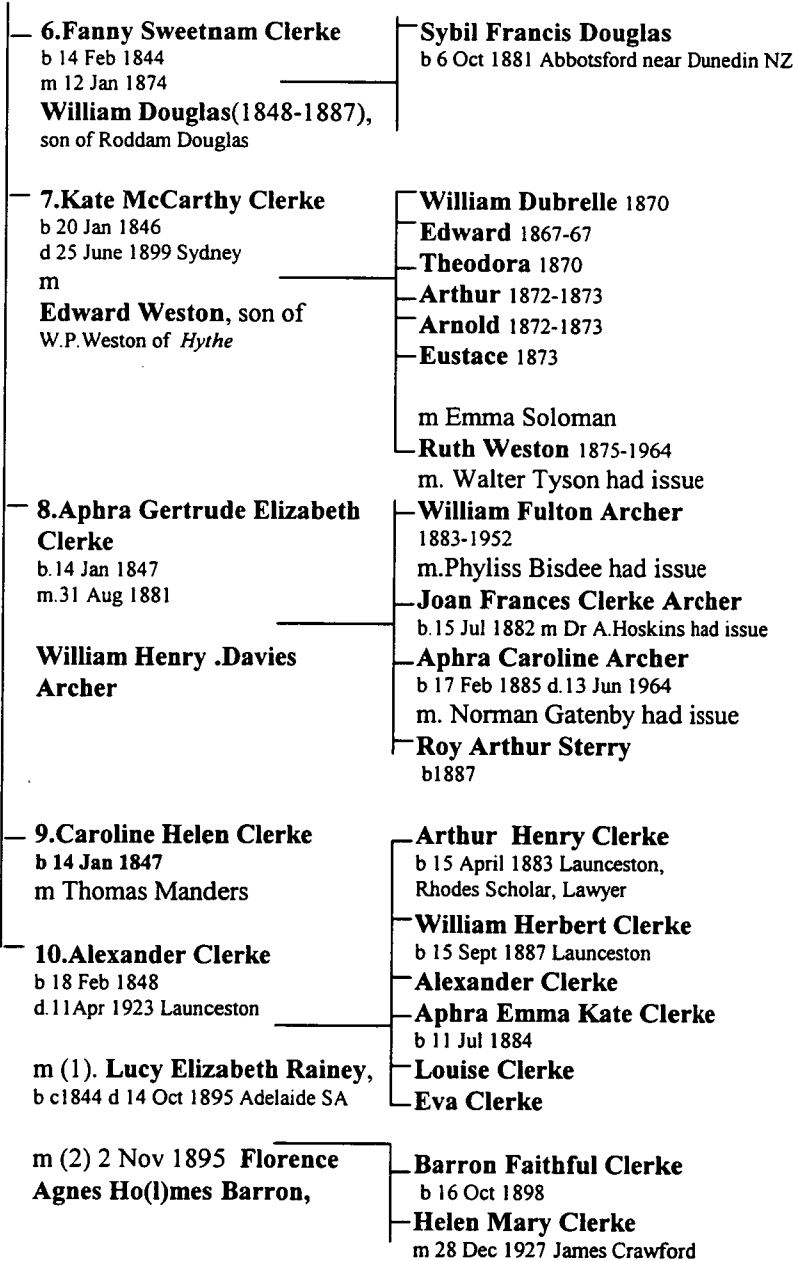
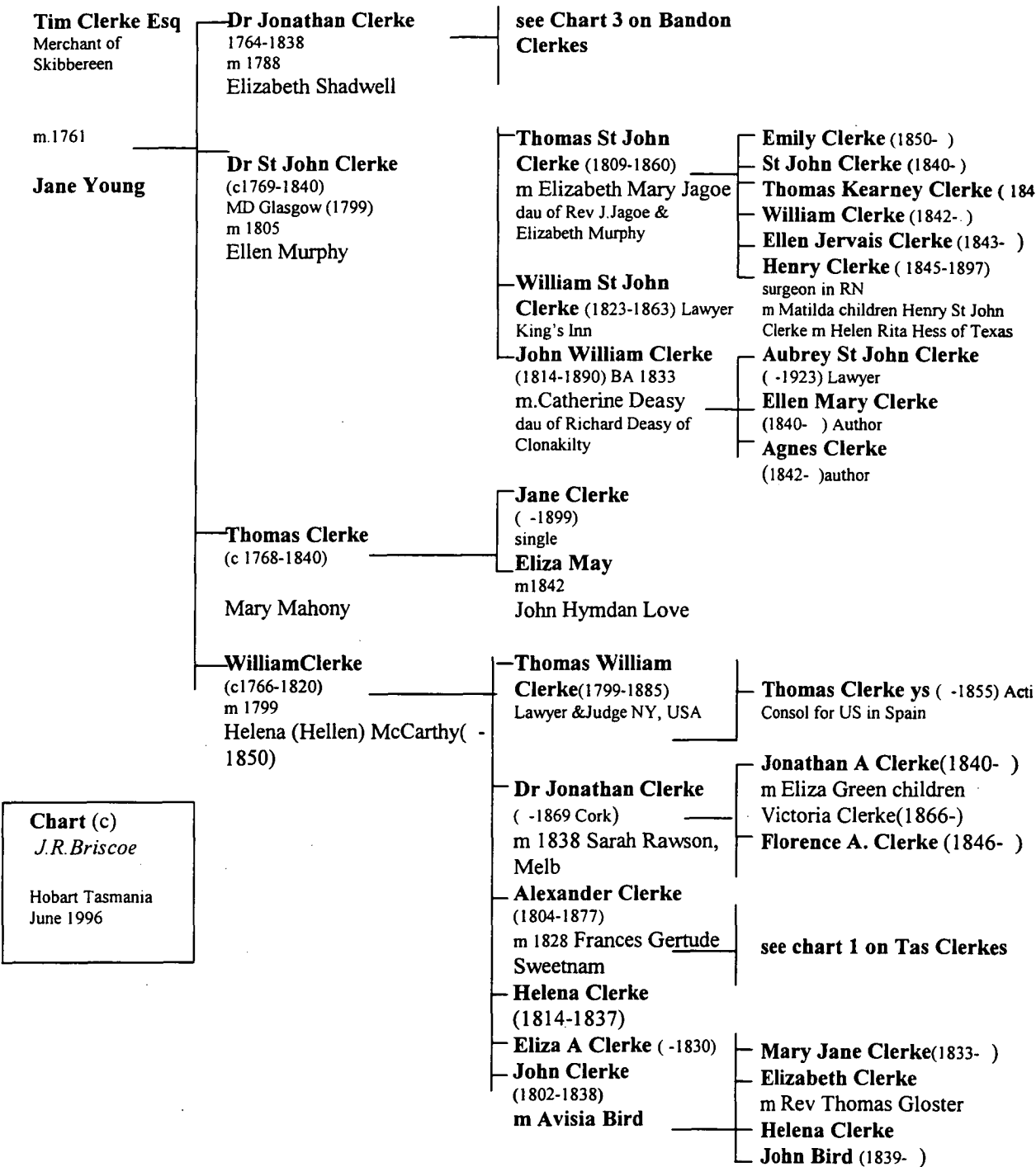


Chart (c)
J.R.Briscoe

Hobart Tasmania
June 1996

Skibbereen Clerke Family Tree Chart 2



Bandon Clerke Family Tree Chart 3

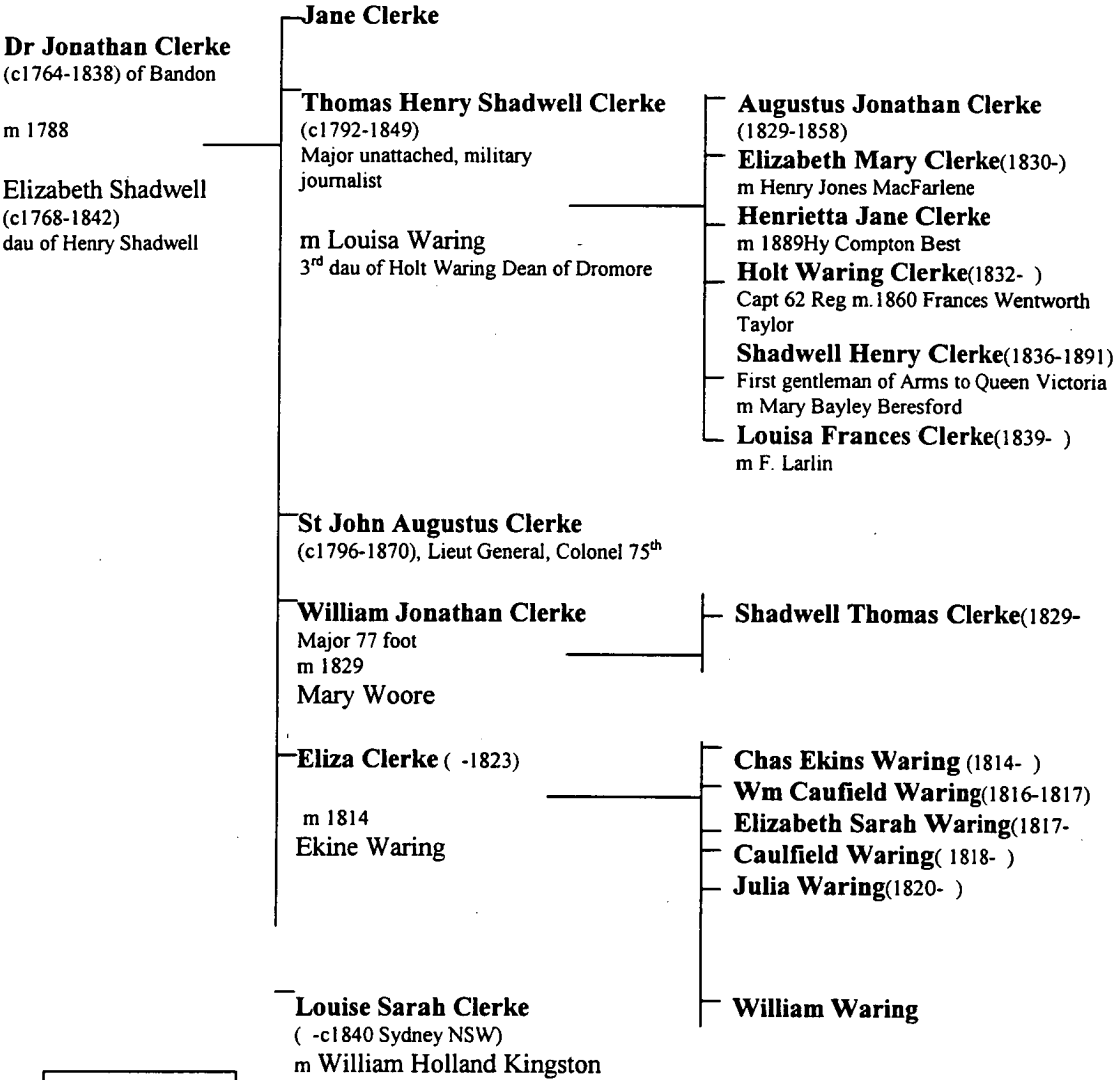
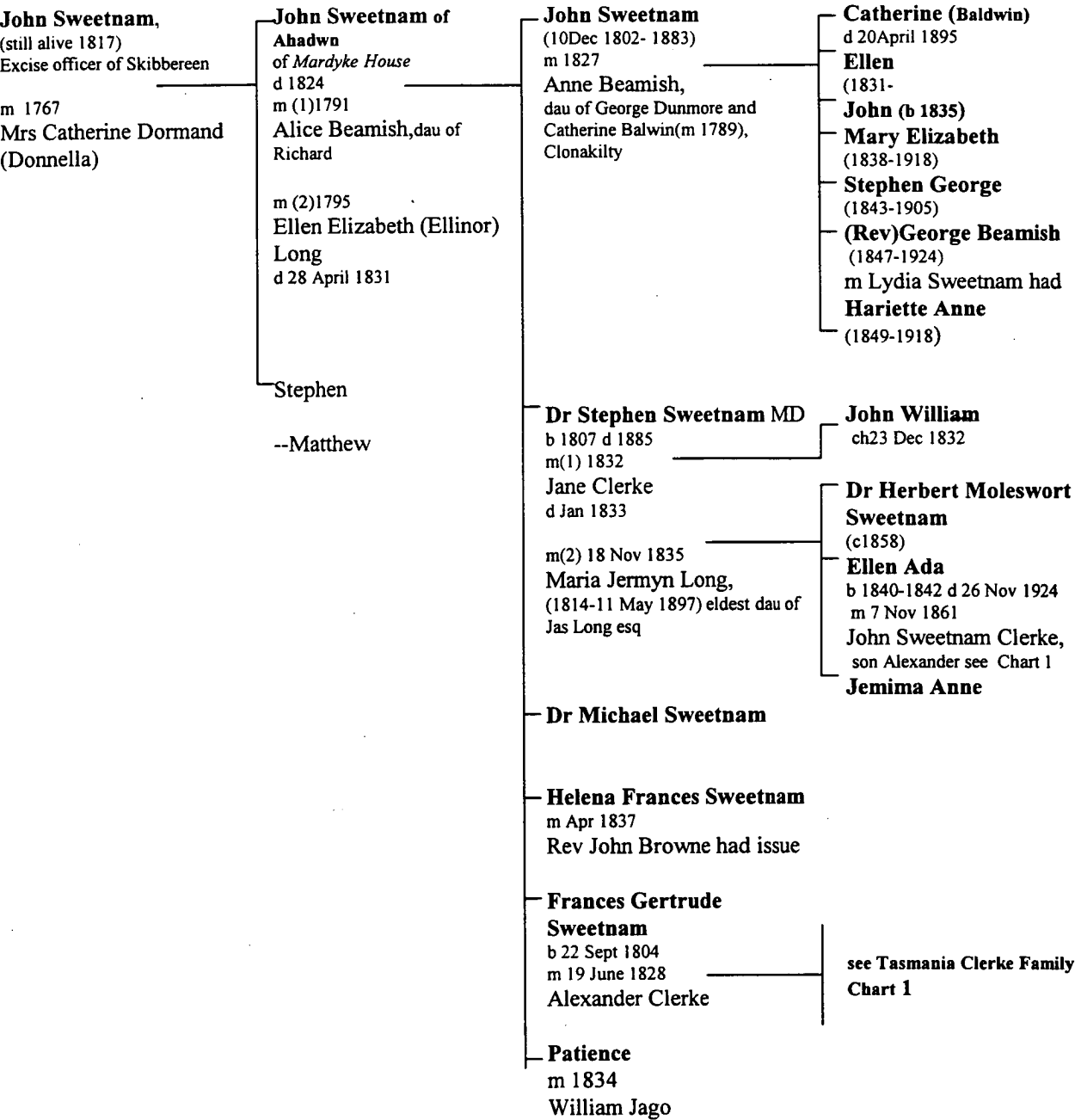


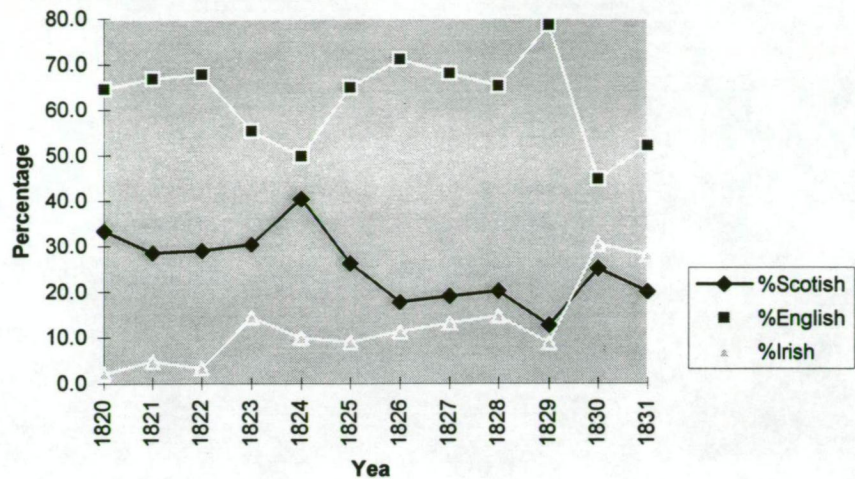
Chart (c)
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Hobart Tasmania
June 1996

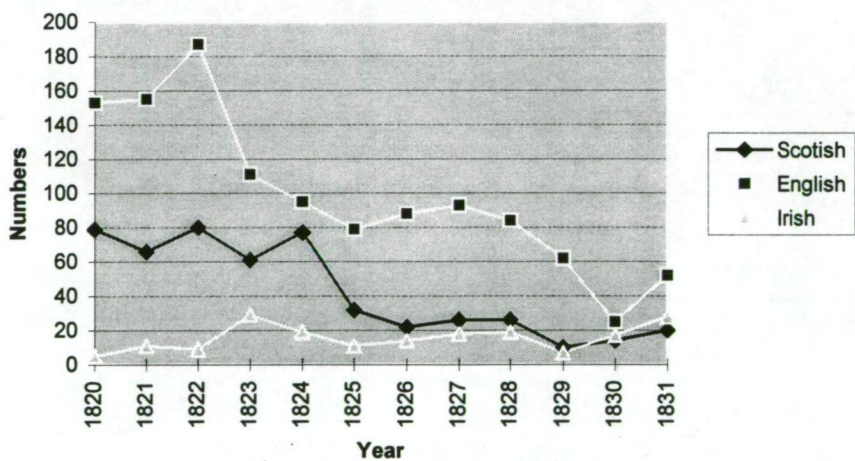
Skibbereen Sweetnam Family Tree Chart 4



Irish /Scottish/English Applicants for permission to settle in NSW and for grants of land there,1820-1833



Irish/Scottish/English Applicants for permission to settle in NSW and for grants of land there, 1820-1833



Data taken from McMillian, David S., Scotland & Australia, 1788-185~