

## Book Reviews

**Sir Charles Lilley: Premier and Chief Justice of Queensland.** By J.M. Bennett (Sydney: The Federation Press, 2014), xvii + 365 pp, AU\$64.95 (hb).

Not many Australian historians have written as prolifically and at such a consistently high standard as John Bennett. His life work is a series of biographies of the colonial Australian Chief Justices. Although primarily a legal historian, Bennett is also a master of nineteenth-century history in general. This biography of Sir Charles Lilley is the fourteenth in the series and Bennett shows no sign of flagging.

Charles Lilley was born in Newcastle in the UK on 27 August 1827. He was raised by his maternal grandfather, the Governor of the Castle from which the city took its name. Showing academic promise, Lilley was articled to local solicitor W.L. Harle from whom he imbibed his life-long liberalism. Harle sent Lilley to London to study and manage a branch of the firm. Unfortunately, the temptations of the metropolis were too much and the young man “yielded for a time to the carnal pleasures readily available in that city”. This episode was to be used mischievously by Lilley’s enemies against him in later life. Lilley rehabilitated himself by serving as a private in the 1<sup>st</sup> Royal Dragoons. His political radicalism landed him in trouble with the military authorities. As a result, Lilley emigrated to Sydney in 1856. Soon after he moved to Brisbane and became a barrister and journalist.

In 1860, Lilley became a Member of the Queensland Legislative Assembly. His legal practice and standing as a parliamentarian both increased. Lilley was an advocate of liberal measures and a determined foe of the squatting interest which dominated the Parliament. From 1865 to 1867, Lilley was Attorney-General in the governments of Robert Herbert and then Arthur Macalister, both of whom he had previously criticised. Governments fell rapidly because of parliamentary instability and Lilley’s turn to form one soon arrived. From 25 November 1858 to 3 May 1870 he led the first non-squatter dominated Queensland Ministry. As Premier, Lilley was hampered by an unstable Cabinet and the vehement opposition of the squatters. The latter and their press allies smeared him with vicious attacks on his character and morality. Lilley’s intellectual arrogance and a tendency to vanity did not help his cause. His most important achievement was probably the introduction of free primary public education. Lilley was an effective Leader of the Opposition until appointed Chief Justice in 1879.

In his Introduction, former Chief Justice and current Governor of Queensland, Paul de Jersey, observes that Lilley’s judicial career was “largely marked by restraint and fairness”. However, he was strongly criticised for allegedly showing partiality to his barrister son Edwyn and for radical political statements. Lilley’s conduct of a controversial case and the overturn on appeal of his judgement led to his retirement in humiliating circumstances in 1893. Bennett concludes his book by observing that Lilley’s character “once stripped of the mud and distemper so relentlessly applied over the years by his detractors” shines forth in its true light: “that of a statesman, a

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philanthropist, a chivalrous and dynamic politician, a lawyer of exceptional ability, and a champion of democracy”.

Bennett’s biography of Lilley is lucidly and learnedly written. His erudition about his subject and the era is remarkable. It is a “life and times” in the traditional sense. Reading Bennett’s Lilley is rather like a walk through historic countryside with a knowledgeable guide pointing out the byways, features and prospects. This is a work to which historians of colonial Queensland and its legal system will have constant recourse.

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