

## **THE CHUBBS — SEPARATION AND SINCE**

### **History of a Famous Family**

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(Read at a Meeting of the Society on 28 March 1968)

#### INTRODUCTION

My interest in this family began in 1940 when I married a great-granddaughter of Charles Frederick Chubb.

There are, however, family associations which span four generations in the Colony and State of Queensland, and because these relationships illustrate so well the web of social life in Queensland in an era that has vanished I propose to set them down.

My grandfather, Colonel Edward Robert Drury, C.M.G., and Charles Frederick Chubb were early acquainted as Officers in the Queensland Defence Forces.

In 1878 Charles Edward Chubb, eldest son of Charles Frederick, was admitted as a barrister. He moved from Dalby to Brisbane, settling first in the Breakfast Creek area of Eagle Farm. His home was on the northern side of Hillside Crescent, a road which runs on the lower slopes of Toorak Hill overlooking the Hamilton Reach of the Brisbane River. Here, in 1881, my wife's mother, Clare Elizabeth Lyttleton Chubb, was born.

In the same year, my great-grandfather, Frederick Archibald Blackman, who in 1874 had taken his family from "Warro" in the Port Curtis District, to Hobart Town, Tasmania, to give them the benefits of schooling and a change of climate, returned to Queensland. He settled at "Waterview" on land between Crescent and Gray's Road facing the Brisbane River across what is now Kingsford-Smith Drive.

The Chubbs and Blackmans thus became neighbours and commenced a friendship that lasted throughout the remainder of their lives.

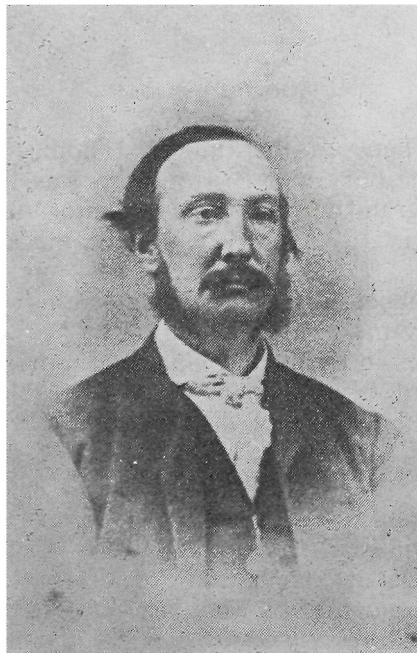
In 1883 my grandfather, Charles Alexander Clarke, married Lilla, the eldest of the Blackman girls. Their first home was "Edenville" a cottage built by D. R. Eden just below the home of the Chubbs. Here in June, 1885, my father, Richard George Perry Clarke, was born, and his

cradle used to be placed under the big Fig Tree which grew where Blair Lodge now stands between Eden Lane and the River.

In 1886 the Clarkes, having built "Kynance" at Hamilton, moved there, but the friendship remained and they and the Chubbs regularly played cards together on Saturday nights until the transfer of Charles Edward Chubb, Q.C. to Townsville in 1889 as District Court Judge.

When in 1886 Charles Edward Chubb was elected to the Queensland Club, E. R. Drury, who had been President in 1880, was a member of the Committee. At what date they became acquainted is not certain. Chubb was Attorney-General in the McIlwraith Administration in 1883 and Drury was Manager of the Queensland National Bank, which financed the Government.

In 1908 when C. E. Chubb returned from Townsville he leased "Kinellan" at New Farm from J. S. Turner. My mother, Audrey Saxham Drury, who was born and lived at "Hawstead," Bowen Terrace, was a frequent visitor there, as were the C. A. Clarkes.



CHARLES FREDERICK CHUBB.

## ANTECEDENTS

The Chubbs were an old Wiltshire family, centred around Malmesbury. From late Tudor times they appear as Merchants and Shipowners. Their Grant of Arms: Az. a cross or between four Bezants — dates from the time of James I.



Armorial Bookplate

Somewhere between the time of Thomas Chubb, Merchant of Malmesbury and Bristol, who was living in 1714, and his great-grandson, Thomas, Solicitor of Malmesbury, who was born in 1792, the Chubbs became associated with the Law.

For three generations in Australia this was the profession of every male of the family.

Two members in particular, Charles Frederick Chubb and Charles Edward Chubb, made a considerable contribution to the Colony and State of their adoption.

#### CHARLES FREDERICK CHUBB (1822-1891)

Born 5 March, 1822, Charles Frederick was the eldest of the seven children of Thomas Chubb, Esq., Solicitor, of Malmesbury, Deputy High Steward of that Borough, and of Ann, eldest daughter of Thomas Richards Esq., of Dursley, Gloucestershire.

His education commenced at home under private tutors

who were Oxford men, and was completed at Loughborough House, a Public School, at Brixton, Surrey.

On leaving school he was articled to his father. Having served his articles, he went to London and continued his studies in the offices of a London firm of Solicitors and in the Chambers of a Barrister. He was admitted in 1842.

For a short while he acted as Conveyancing Managing Clerk, with the firm of Lambert, Whitmore and Hampton. Then in 1843 he entered into partnership with his brother Thomas (b. 1824) and H. A. Deane, the firm being known as Chubb, Deane and Chubb.

In 1848 he was active on the side of the Government against the Chartist Rioters and was subsequently chief witness for the State in *Queen v. Dowling*, as a result of which Dowling was convicted and transported to Tasmania.

In 1851 he was instructed by a Committee of the Carlton Club to appear as plaintiff in a test case against David Salomons, M.P. for Gravesend. Salomons had voted in the House of Commons without taking the Oath "On the faith of a Christian", and had been penalised for so doing. He had offered any acceptable alternative, which the House had rejected. This case led ultimately to the passing of



Charles Frederick Chubb in the uniform of the Honourable Artillery Company of the City of London.

legislation withdrawing the disability and virtually emancipating the Jews in England.

Amongst other trials with which this firm was concerned was the prosecution of William Palmer, the Rugeley Poisoner.

During this period in London Chubb became member of the Honourable Artillery Company and a portrait of him in the uniform of this body still exists.

He is said to have been Secretary of the Prince of Wales Yacht Club and Commodore of the Anglesea Yacht Club, both located on the Thames.

These activities, military and aquatic, he continued after he left England.

In 1844, on 16 February, he married Sarah Bennett and on 17 May 1845 she produced a son — Charles Edward. A daughter and two more sons followed, all London-born.

In 1857, when 35 years of age, Charles Frederick withdrew from the partnership. Leaving his eldest son to continue his education at the City of London School, he embarked for Sydney with his wife and young family on the sailing ship



**SARAH**  
wife of Charles Frederick Chubb.

“Merrington”, 710 tons, arriving there on 5 October of that year.

### INFLUX OF MEMBERS OF LEARNED PROFESSIONS

The influx of members of the learned professions into Australia in the 1850's is an interesting phenomenon. The depression of the 1840's had passed and gold had brought a significant increase in population and the need could be met from the ranks of the native-born.

Chubb stayed barely two months in Sydney. Having quickly assessed the opportunities, and seeing better prospects in the Moreton Bay District of New South Wales for the practice of his profession, in December he migrated thence, not, however, to Brisbane, but to Ipswich. There, early in 1858, he commenced practice as a solicitor.

With others of his kind he came to see Ipswich as the seat of culture of the Northern District, and after Separation as the logical capital of the new Colony. This town of barely 3,000 inhabitants they spoke and wrote of as the Athens of Queensland.

His classical education, his training as a lawyer and his political associations in England, as well as his military and sporting activities, had fitted him for life in a community which demanded that its leaders should be versatile.

He soon became active in public affairs and his flair for rhyming comment on current events found an outlet.

### ODE TO SIR GEORGE FERGUSON BOWEN

In 1859, the year of Separation of the Colony of Queensland from New South Wales, he produced a leaflet bearing the title “Ode to Sir George Ferguson Bowen on his arrival in Queensland.” Addressed to the Colony's first Governor it stands as Queensland's first published verse.

#### AN ODE

To Sir George Ferguson Bowen, Knight, on his arrival in Queensland, 1858.

Bless'd be the gales and fav'ring winds,  
That brought thee, Bowen, to these shores;  
Where nature wild her untold stores  
Of wealth has buried; where teeming mines,  
With sparkling gems, yet hidden from the gaze  
Of man's quick searching vision, dwell in vain;  
Where glorious sunshine darts alone her rays  
On fallow ground, unblest'd with yellow grain.

This sunny land, which thou hast come to rule,  
Is but an infant in his swaddling bands,  
Pent up unkindly by the fostering hands  
Of dubious nurses from an uncouth school;  
With grievous wrong, time past, the young child's growth  
Hath been untimely check'd, till, sad to say,  
His infant spirit hath begun to droop,  
And but for this bright era would decay.

Our bounteous Queen, o'er whose majestic sway  
 The sun ne'er quenches his refulgent beam,  
 At length has deign'd to mark the happy day  
 When tyranny shall cease; and now we seem  
 To view an omen of more prospering mien  
 That greets at once our senses and our mind,  
 And gilds our hopes with bright and hallow'd sheen,  
 That with thy advent we true joy shall find.

The trump of fame to this far distant land  
 Thy name hath sounded, for the god-like fire  
 Of intellect, 'tis said, has fixed its brand  
 Upon thee, and the undying tiar  
 Of ivy, sages' symbol, sits upon thy brow;  
 May Fortune kind, whilst in this happy hour  
 She breaks the chain that rivets us to Sydney now,  
 Weave thee a fresh chaplet from fair Freedom's bower.

May Justice stern, with Wisdom at her side,  
 Proclaim that right shall be dispensed to all;  
 And may bold Honesty, with reason for a guide,  
 Attend thy footsteps in the Council Hall;  
 Let private worth, allied to energy of mind,  
 To thy good government sure passport find;  
 Then will our children, while all time shall stand,  
 Cry, God bless thee, Bowen; Heaven bless Queensland.

In December of that year Sir George and Lady Bowen paid a three days' visit to Ipswich. In addition to attending a public reception at the Court House and a ball at George Thorn's residence, Sir George held a levee, and C. F. Chubb's name appears in the list of gentlemen who left their cards.

Earlier, on 26 October a meeting of borough electors had been convened to consider the desirability of incorporating the town of Ipswich as a municipality, and had elected a committee of eight, of which C. F. Chubb was a member, to expedite the matter. This committee drew up a petition in which it was stated that Ipswich contained a population of nearly 3,000 who were "desirous of availing themselves of the powers of municipal self-government and the endowment connected therewith under the Municipalities Act." Amongst the 91 signatures of the petitioners is that of Chas. F. Chubb. Ipswich was proclaimed a municipality in the *Queensland Government Gazette* of 3 March 1860.

In May, 1860, the elections for Queensland's first Legislative Assembly were held. Chubb was Parliamentary Agent for Mr. Pollett Cardew, a candidate in the electoral district of West Moreton. The electors chose George Thorn, Alfred Broughton, and the Rev. Dr. William Lambie Nelson (father of Sir Hugh Nelson). Chubb lodged a protest against the return of Dr. Nelson on the grounds of his being in Holy Orders at the time — to wit, a Presbyterian minister in charge of St. Stephen's Church, Ipswich. The protest was upheld and Nelson never entered Parliament.

Chubb sat as Alderman for Ipswich 1863-4 and again 1873-5 and in 1863 was active in securing the introduction

of street lighting there, strongly advocating the use of the new kerosene lamps.

### FIRST QUEENSLAND RAILWAY

On 25 February 1864 he was officially present at the ceremony of "Turning the First Sod" at the inauguration of the works of the first Queensland Railway. At the ceremony Lady Bowen cut a turf with a silver spade and placed it in an ornamental cedar barrow, thus making Ipswich the starting point of the Colony's railway system. Amongst the 220 gentlemen who thereafter gathered for lunch at the Mechanics' School of Arts, C. F. Chubb was present as alderman. He wrote, and later published a prologue for the tenth entertainment of his elocution class celebrating this occasion. Eighteen months later, 31 July 1865, he attended the ceremony at which Sir George opened the line for traffic from Ipswich to Bigges Camp (Grandchester).

H.R.H. Prince Alfred, Duke of Edinburgh, visited Ipswich in 1868. To celebrate this Chubb composed an address of welcome, which was intended to be recited. The brevity of the Prince's visit precluded this, but the verse is preserved in his "Fugitive Pieces" as a prologue.

#### PROLOGUE

Laying First Sod of Railway to Grandchester.  
 In these bold times, when Britain's sons explore  
 The distant climates and the savage shore;  
 When London stars to Australasia steer,  
 And "Kean" eyes gaze upon the planets here;  
 "All England" leaves "the cricket on the hearth,"  
 Transports the "willow" from his place of birth;  
 While botanists, averse to smiles and dimples,  
 Forsake the fair to go gathering simples;  
 While navigators plough the southern main,  
 And Ipswich hears the whistle of its train;  
 Our class into the general spirit enters,  
 And fits her sprightly vessel for adventures;  
 With railway stores and mirthful trifles laden,  
 She this way steers her course in hopes of trading.  
 But ere we land I'm ordered on before,  
 To take a little observation on the shore.  
 Where are we driven? Our reckoning sure is lost—  
 This seems a rocky and a dangerous coast.  
 Lord, what a sultry climate am I under!  
 Yon ill-foreboding cloud seems big with thunder.  
 There Mangroves spread, and larger than I've seen 'em,  
 Here trees of stately size, and billing turtles in 'em.  
 I heard a hissing. Are there serpents here?  
 The inhabitants are cannibals I fear.  
 O! there the people are—best keep my distance.  
 Our captain, gentle natives, craves assistance;  
 Our ship's well stored, in yonder creek we've laid her;  
 I'm sure you'll find he is no mercenary trader.  
 This is his tenth adventure—lend him aid,  
 And we may chance to drive a thriving trade.  
 His goods he hopes are prime, and brought from far,  
 Equally fit for gallantry or war;  
 He brings a barrow, and a silver spade,  
 And lots of notions for Fitzgibbon made.  
 By birth he's Celtic, and his manners "Brassey";  
 Though in his dealings you'll find nothing classy.  
 But used to ramble o'er his native "Peat O!"  
 Should he offer "Bets" don't exercise your veto.  
 'Twixt North and South the battle now is o'er;  
 'Twas found to be a mare's nest—nothing more.



## MAYOR OF IPSWICH

In 1877 Chubb filled the office of Mayor and in that capacity welcomed the Governor, Sir Arthur Kennedy, on his first State Visit to Ipswich. The elocution class presented a play for the Governor's entertainment and Chubb wrote and delivered the prologue.

He seems to have retired permanently from civic office in 1878.

In 1860 the Ipswich Volunteers were formed at the suggestion of Sir George Ferguson Bowen. The meeting to initiate this was held at Chubb's house. The Volunteers were a Light Horse Group and in the original manning C. F. Chubb formerly of the Honourable Artillery Company of the City of London, was one of the Lieutenants. He held this rank until June 1887 when he was placed on the retired list with the honorary rank of captain.

## NOTED HORTICULTURIST

His work as a horticulturist was significant. He purchased a property of about a hundred acres in the vicinity of Ipswich, which he named "Malmesbury." It became an experimental farm. On it he planted a vineyard and the claret produced there gained prizes both locally and interstate.

He cultivated cotton, cayenne pepper, coffee, teosinte, and setaria grass, and grew mulberry trees for his silkworms. The Malmesbury cotton, a long staple Egyptian variety, was favourably received overseas.

His cayenne pepper took prizes in Sydney, Paris and Vienna and he successfully exhibited coffee both raw and manufactured. The cultivation of silk at Malmesbury gained for him prizes for the fibre and manufactured goods, not only locally but also in 1876 at the International Exhibition in Philadelphia.

In 1871 he wrote some whimsical verses on sericulture in Ipswich, which he published in the Ipswich *Punch*.

## SERICULTURE

1871

Sericulture's all the go  
 Since Chubb brought silk unto the show;  
 And everybody, high and low  
 From William Henry to Statham Lowe,  
 Goes in for Sericulture.

Creeping, crawling, all the day,  
 Getting up at break of day,  
 To give the grubs their dejeuner;  
 My word, that's the game to pay!  
 Hurrah! for Sericulture.

Wriggling, niggling little things;  
Slippery insects without wings;  
Millipedous, clad in rings;  
Sickly, sallow Bivoltins;  
Slaves of Sericulture.

Creeping, crawling, etc.

Entomology is the word  
That makes some fogies so absurd;  
But since the fashion we've incurred  
To try all things that we have heard,  
Go in for Sericulture.

Creeping, crawling, etc.

To new vagaries don't say die;  
To say that we can't silk supply  
Is Betty Martin, and all my eye;  
To sceptics, therefore, give the lie—  
Go in for Sericulture.

Creeping, crawling, etc.

Send Dodwell off to Ispahan,  
Bernays and Gardner to Japan,  
To get whatever "grain" they can,  
That Bob, and Dick and Mary Ann,  
May robes supply to the Great Khan,  
All out of Sericulture.

Creeping, crawling, etc.

This little worm that's now the rage,  
In every form and every stage;  
Grub, moth and chrysal, I'll engage  
Shall be the wonder of the age,  
And add a postscript or a page  
To Dodwell's Sericulture.

Creeping, crawling, etc.

Let Paris have her war balloon  
And hard-up squatters shoot the moon;  
Queensland will tell another tune,  
When every maid and each gossoon  
Shall spin a yarn from his own cocoon.  
So, hey for Sericulture!

Creeping, crawling, etc.

## AGRICULTURAL SOCIETY

In the middle 1860's, a move was made to form an Agricultural Society in Ipswich and to promote exhibitions. To this it was natural that he gave his support and encouragement. The Society seems to have been formed in 1866 but times were hard and it was not until December, 1868, that the Ipswich Agricultural and Horticultural Society held its first exhibition in the hall of the School of Arts. C. F. Chubb was a member of the Committee of Management and long continued his association both as committeeman and exhibitor.

His practical outlook extended into the field of domestic architecture. His fine Colonial-style home in Upper Ellenborough St., Denmark Hill, with its wide verandahs, high ceilings, red cedar joinery and panelling and ample use of

French lights spaced close together was adapted to the climate by having a thick layer of asbestos laid above the ceilings and under the verandah roof. It was celebrated for its coolness.

The early interest he showed in aquatic activities led him to establish a seaside home at Southport, the precursor of Queensland's Gold Coast, and he promoted its claims as a holiday resort.

### EARLY WRITER OF VERSE

He is probably best remembered nowadays as one of the Colony's earliest writers of verse. For more than 30 years in Queensland and in fact, on the voyage out, he scribbled verse. Sometimes it is polished, as when he welcomed the first Governor, or the Duke of Edinburgh; but more often it is colloquial and rather slangy, as in the prologues. It covered family events, marriages and births and his parents. It celebrated the arrival of Princes and Governors — The Crimean War — Florence Nightingale — Caroline Chisholm. Some of the verse, published in various Ipswich papers of the time, related to events in municipal politics, volunteer parades, squabbles and grievances of the locals, visits of actors, cricket teams, marriages of friends (the Thorns), the opening of the first railway.

In 1863 he started an elocution class which continued until 1880 to produce comedies, farces and reviews. For it he wrote many of the Prologues.

### FUGITIVE PIECES

In 1881 he collected and published his only volume "Fugitive Pieces" which he dedicated to Sir Charles Lilley Kt., Chief Justice of Queensland. It covered the period 1857-1880 and contained many of the prologues and much of the other materials referred to above, but it also contained his metrical version of Psalm 137, a translation of an ode from Horace and various poems for family occasions.

His first wife, Sarah Bennett, died on 14 January 1866, and is buried at Ipswich. By her he had four children.

(1) Charles Edward, born 17 May 1845, London, Judge of the Supreme Court of Queensland, who married Christian Westgarth Macarthur.

(2) Athelstone Frederick Bruce, born 11 November 1848, London, Solicitor, of Bundaberg, Queensland, who married Sarah Elizabeth Birkett.

(3) Walter Henry Lyttleton, born 1 October 1851, Solicitor of Dalby, who in 1879, returning from a visit to a

coffee plantation in the New Hebrides, died at sea and is buried at Apia.

(4) Florence Marion Lyttleton, born 26 January 1850, twice married—

(a) in 1874 to Francis Trollope R.N. who died in 1875 without issue.

(b) on 26 May 1883 to Charles John Walter Rounding, (issue two sons).

He married secondly Sarah Playne Fletcher (nee Washbourne, of Ashton Keynes, Wiltshire). This marriage was without issue.

Charles Frederick Chubb died at his home "Danmar Cottage," Upper Ellenborough Street, Denmark Hill, Ipswich on 13 March, 1891.

### ACTIVE IN COMMUNITY

The rapidity with which he adapted to life in Australia is interesting. He was a sociable man of mature years when he settled in Ipswich and almost at once he became active in the life of the community. He did his share of work in local government but seems to have had no political aspirations. He was satisfied with his new home, his family, his Church and its social activities, his elocution class and its concerts. His experimental farm and Agricultural Society interests occupied the middle years.

He seems to have been domestically happy and to have enjoyed his life in Australia, and even as a migrant we never find him casting nostalgic glances towards England. He made no attempt to return to his homeland and died a good Australian.

### CHARLES EDWARD CHUBB (1845-1930)

Charles Edward, the eldest of the four surviving children of Charles Frederick Chubb and Sarah (nee Bennett) his wife, was born in London on 17 May 1845.

His education began at Calne Grammar School, Wiltshire, and he proceeded from there to the City of London School.

When he was twelve years of age his parents, together with their three younger children, migrated to Australia, leaving him to continue schooling in England.

When he was fifteen, they sent for him to join them in Queensland and in August 1860 he sailed from London Docks in the *Venikale*, a barque of 710 tons burthen, commanded by Capt. I. Leuty. He was the only passenger aboard.

According to notes he made, in preparation for an auto-



CHARLES EDWARD CHUBB.

biography which he never completed, the voyage was marked by adverse weather, and was so unduly prolonged that the *Venikale* was posted missing. The shortage of provisions became acute, and all aboard were reduced to salt meat and potatoes, and there was much sickness amongst the crew.

The vessel arrived in Moreton Bay on 20 January 1861 after a voyage of five months and four days.

### EDUCATED IN IPSWICH

Soon after rejoining his family he was enrolled at the Collegiate School in Ipswich and it was here that he completed his secondary education.

His notes contain another item of interest. He writes: "*The first Land Order issued in Queensland to a passage-paying immigrant was issued to me in 1861. This was for £18 and a second for £12 was issued two years after, making £30.*"

On leaving the Collegiate School, he entered into articles of clerkship with his father and was admitted as a solicitor on 6 September 1867.

Next year he commenced practice in Dalby, then a small town on the Darling Downs. He was joined in due course



MRS. C. E. CHUBB  
who was Christian Westgarth Macarthur.

by his brother Walter, who continued to practice there until his untimely death at sea in May 1879.

On 9 June 1870, Charles Edward married Christian Westgarth, daughter of Police Magistrate Patrick Macarthur, also of Dalby. She was a grand-daughter of Dr. Peter Macarthur, an army-surgeon, who had come to Australia in 1834, and her mother was Elizabeth Westgarth, of Melbourne, sister of William Westgarth the historian. Four of their five children were born in Dalby.

#### ADMITTED AS BARRISTER

In 1878 he gave up his practice as a solicitor and brought his family to Brisbane. He settled in the Breakfast Creek area of Eagle Farm on the southern slope of Toorak Hill overlooking the river on what is now Hillside Crescent.

On 21 May he was admitted as a barrister and soon established a busy practice.

During this time he became involved in politics. In 1883 the Premier, Thomas McIlwraith, brought him into Parliament with the express purpose of making him Attorney-General.

McIlwraith had Bowen in the palm of his hand and chose

a succession of lawyers, Pope Cooper, Chubb, Real, to represent that constituency and fill the position of Attorney-General.

#### ATTORNEY-GENERAL IN McILWRAITH MINISTRY

Chubb's tenure of this office lasted from 6 January to 13 November 1883, and ended with the fall of the McIlwraith Administration. Thereafter, and for the remainder of his political career he was in Opposition.

He continued to represent Bowen until 1888 when, on the dissolution of Parliament, he did not seek re-election and his party was not returned to power.

Although he was a South Queensland resident, Chubb loyally supported Macrossan when he introduced into the Legislative Assembly a motion seeking to petition the Queen "to cause the Northern portion of the Colony to be erected into a separate and independent Colony with representative institutions."

#### AMENDMENT OF JURY LAW

As a legislator he must be credited with bringing about the amendment of the jury law in Queensland so that the lot of jurors was greatly improved.

He was considered a good man in debate. He was a fluent speaker and a lucid thinker, and enjoyed the trust of both sides of the House.

During his time at the Bar he, on various occasions, held acting appointments, as Crown Prosecutor, District Court Judge for the Southern District and Supreme Court Judge.

On 15 March 1883, not long after he became Attorney-General, he was appointed a Q.C.

When in 1889 the Morehead Government amended the *Supreme Court Act* of 1874 his next opportunity appeared.

The headquarters of the Northern District of the Supreme Court was transferred from Bowen to Townsville, and in order to establish a Court of Appeal in the Northern District, provision was made for the appointment of a second Judge.

#### APPOINTED JUDGE

This post was offered to Chubb who on 2 December 1889 was duly appointed a Judge of the Supreme Court of Queensland.

He moved with his family to Townsville and occupied the official Judge's residence in Cleveland Street. This led to some friction with Pope Cooper, the other Judge, who considered that he should have had the tenancy.

For some years Chubb's associate was Vaux Morisset, an uncle of Mr. Justice Vaux Nicholson.

During his time in the North, he was active in educational and Church affairs and for a period was chairman of trustees of Townsville Grammar School.

A prominent Anglican, he was twice Chancellor of the Diocese of North Queensland.

On 11 November 1893 his eldest surviving daughter, Geraldine Playne Lyttleton Chubb, was married to Francis William North in All Saints' Church, Wickham Terrace. She was married from the home of Dr. Hobbs near the Observatory.

His only son, Montague Charles Lyttleton Chubb (b.1872) graduated B.A. Sydney and was admitted as a barrister during this period. Montague Chubb did not return to Queensland.

In 1900 Charles Edward travelled to England taking his wife and youngest daughter Clare. He had an audience with the Pope, was received at Court, and returned to Australia by way of America.

#### TRANSFERRED TO BRISBANE

His period in the North ended in 1908 when he was transferred to Brisbane. He leased "Kinellan," a large house built originally by Sir R. R. Mackenzie (Aramac) on the bank of the Humbug or Amity Reach of the river at New Farm and enlarged by the Hon. J. S. Turner. The Chubbs were tenants between Sir Pope Cooper and the Hon. E. D. Miles. Here they kept open house and a rich fund of anecdote has collected around this phase of their lives.

"Cooltigue" in Westbourne Street, another of Brisbane's historic homes, they occupied for a short while after leaving "Kinellan."

Finally in 1911, "Marley" in Hampstead Road, was purchased from James Allan. Renamed "St. Malo," it remained the home of the Chubbs until 1934 when it passed into the hands of the Presbyterian Church, by whom it was demolished in the 1950's.

In 1909, he again travelled abroad, this time to the Far East. His wife and daughter Clare accompanied him, and it was there that Clare met a young Dane, Carl Langberg of Copenhagen, who proposed marriage.

In 1910 he was back in Japan for the marriage of Clare and Carl which took place at Kobe on 27 June.

#### JUDICIAL CAREER

His career as a Judge lasted for upwards of 33 years during which period he was connected with many important cases either as trial Judge or on Appeal.



He sat on the Court of Criminal Appeal in the murder trial of *Regina v. Kenniff*, a case which is still remembered.

Again in the case of the Queensland Investment and Law Mortgage Company Limited *v.* Grimley, he sat as a member of the Full Court over which Judge Windeyer, brought from New South Wales for the purpose, presided. The appeal against the judgment of the Chief Justice, Sir Charles Lilley, ended in Lilley's resignation.

Chubb was a member of the Full Court of the Supreme Court, which from 1915 onwards handed down a series of constitutional decisions unfavourable to the Government. The outcome was the passing of the *Judges Retirement Act*



Low's Cartoons of Queensland Judges including Cooper, Chubb and Real.

of 1921. Under the provisions of this Act, Sir Pope Cooper and Judges Real and Chubb were retired from the Bench.

His fairmindedness was widely recognised and he had a reputation for brevity in address and courtesy and consideration towards those who appeared before him.

If he had a weakness, it was for Latin quotations and this weakness was undoubtedly exploited by counsel who appeared in his Court.

### CHURCH ACTIVITIES

His Church activities continued after his return to Brisbane. In 1912, he became Chancellor of the Brisbane Diocese of the Ecclesiastical Province of Queensland.

As a freemason he attained the position of Senior District Grand Warden (of the English Constitution) in Queensland.

His interest in literary and artistic matters led to the collecting of a fine library which was dispersed after his death. His cultivated taste was reflected in his collection of antique furniture and contemporary paintings.

In his earlier years, he took an active part in the defence of the Colony and retired with the rank of Major in the Queensland Volunteer Artillery.

In the field of sport he was an excellent rifle shot.

For over forty-five years he was a member of the Queensland Club, to which he was elected in 1886.

### COMPILED MEMOIRS

During his retirement he set about the compiling of his memoirs from a series of exercise-book diaries which he had kept over the years. These were wantonly destroyed in 1958, together with letters and personal documents by one of his grand-daughters.

His wife, Christian Westgarth ("Chrissie") had died on 7 November 1916. He survived her by some thirteen years, dying at "St. Malo," Hampstead Road, on 27 February 1930.

He had enthusiastically supported a move to have cremation introduced as an alternative to inhumation, but, ironically, was himself buried at Dutton Park Cemetery, Brisbane.

In his life he assisted many members of his family. His brother Bruce (A. F. B. Chubb), who became blind, spent his last years at St. Malo.

He educated the children of his sister Florence Marion—the two Rounding boys—after the death of her second husband.

On the untimely death of Dick Barker at Eungella Station, Mackay District, he supported Barker's widow, Sophia, who

was his wife's sister, until she had graduated as a nurse from the Lady Bowen Hospital.

He brought up the children of his daughter Geraldine after her husband had departed to Dunwich to end his days there.

He educated the children of his youngest daughter Clare after the breakdown of her marriage in the 1920's.

He died, an old man who was much loved by those whom he had befriended.

The line of Chubb in Australia is almost extinct. Charles Edward's only son, Montague Charles, died of tuberculosis on 28 February 1920, aged forty-five, leaving an only son, Edward Montague Charles, who apparently has no legitimate issue.

The blood lines continue in Queensland through the families of North, Sapsford, Clarke and Langberg.

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