

JOSEPH 'JOE' DARLING CBE.

by

REG. A. WATSON

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Joseph 'Joe' Darling was an exceptional cricketer, captaining Australia in 18 Tests. Born in South Australia, he made further careers for himself in Tasmania as a politician and pastoralist. While there, he humbled the Federal Government over State's Rights. He lived and died in the island State. He has been remembered for his cricket career, but his contribution to politics was felt nation-wide, not just in the State of Tasmania. His contribution goes beyond politics, for he was an innovative pastoralist.

Joe was an astute politician and led the campaign against the *Commonwealth Powers Bill*. The Federal Commonwealth introduced this Bill in the 1940s, but because of Joe's opposition was blocked repeatedly forcing it to go before the people in referenda. There it failed in August 1944.

The *Commonwealth Powers Bill* was seen as an issue of State's Rights which divided the community. Even back then, many were concerned with the growing power of the central government in Canberra and fought to oppose further poaching of the State's responsibilities.

Joe Darling was born November 21, 1870 at Glen Osmond in the hills south west to Adelaide. His parents, John and Isabella nee Ferguson had emigrated from Scotland in 1853 to South Australia. His father had various occupations such as miller, merchant and wheat farmer. He also involved himself in local politics, becoming a member of the House of Assembly and the Legislative Council.

Son Joe was educated at Prince Alfred College in Adelaide and on his 15th birthday he displayed his incredible cricket ability by scoring 252 runs against St Peter's College. He batted for six hours.

At only 16 years of age he was elected to play for South Australia against the 1886 Australian XI. He also played Australian Rules football for Adelaide and Suburban Football Association.

Three year later now eighteen years of age he attended the Roseworthy Agriculture College for a short period of seven months. Nonetheless he played for the college cricket team moving on to the senior North Adelaide Club. He was then to play with the South Australian Sheffield team against New South Wales

The Northampton Herald (England) was to describe him as having a "strong personality" (17th May 1902).

When 23 years of age he married Alice Minna Blanche Francis from the Port Broughton district (3rd May 1893). They were to have 15 children two of which died very early, Ernest of twelve months (1897) and Ethel of eight months (1898).

Moving to Adelaide, Joe opened up a sports store in Rundle Street and planned to devote much of his time to cricket having previously having working in a bank then a period where he managed his family's farms.

Joe was selected to play in various interstate matches (or then intercolonial) and in 1894 A.E. Stoddard's English team arrived in Australia, Joe playing for South Australia.

Joe was to eventually captain Australia in no fewer than 18 test matches against England – a record. He played 31 test matches against England and scored 1632 runs. He visited England in 1896, 1899, 1902 and 1905. He headed the Australian XI's batting average for four years (1896-99). In 1899, 1902 and 1905 he captained Australia. In addition he was captain for three of the five tests in Australia in the season 1901-02. He lead two tours to England in 1902 and 1905. Darling was second only to Bradman in the sphere of captaincy of Australian teams against England in Test Cricket.



He eventually quit cricket, because he said it was not fair on his wife and children. Choosing a completely different life style, his father purchased for him a property in the midlands of Tasmania called Stonehenge. Joe then sold his Adelaide sports store.

Sir Donald Bradman stated that Darling was “one of the greatest name in Australian cricket” (*Test Tussles – On and Off the Field* by his son, Douglas Darling 1970). He left his home State to seek a new venture in Tasmania. The property *Stonehenge* was bought without inspection and when he moved on it, he found that it was neglected, over-run by rabbits and was isolated. It’s one redeeming feature was the house itself, a two storey freestone homestead with 19 rooms and a large verandah. It dated from 1877 and was built by Sidney Page.

His distinctions while a pastoralist were numerous. He pioneered the eradication of rabbits, which overran his and other properties. He took a leading part in the Tasmanian Farmers Stockowners and Orchardists’ Association and was on the committee of the Royal Hobart Show Council for 25 years.

With South Australian merino rams he built up one of the best half-breed and comeback flocks in the State. His wool topped the Hobart sales on several occasions. In 1920 he introduced subterranean clover to Tasmania.

In 1919 he sold Stonehenge and brought a property *Claremont House* of 32 acres at Claremont, north of Hobart City. The current mansion was built in 1839 (although its

heritage begins in 1815) and was owned by Joe and Alice until 1940. It still stands today.
(1)

His life now took a further twist when he was persuaded by friends to enter local politics. Joe was elected to the Legislative Council in May 1921 and served continuously until his death in 1946. In this, Joe would follow both father and brother (John junior) who served in the South Australian Parliament.

Joe was Member for Cambridge which was a sprawling rural area. Naturally he stood for policies which would benefit the man on the land, but he was also concerned with the increasing State debt which amount to a staggering \$16 million in the 1920s.

In 1921 he was instrumental, as a private resident of Claremont, to buy land to be known as the Claremont Recreation Ground, "*for the residents of Claremont*". (2)

In 1942 World War II was at its height. Japan was in the war and had some startling successes, threatening the Australian mainland.

Canberra, through Prime Minister John Curtin and his Attorney-General Dr Evatt, believed that if Australia were to effectively fight the war, the States would have to surrender certain powers, which could then be managed by the centralised government.

All State Premiers, including Tasmania's Robert Cosgrove, who was only too willing to surrender those powers, backed the proposal. The Opposition Leader, Mr Henry Baker, supported the Bill. In their eagerness to pass these powers on the State Minister for Agriculture Mr D'Alton hoped the Bill would be accepted without amendment and Sir Walter Lee for the liberals said he was firmly convinced that the time had arrived to give the Commonwealth more power. He went on to say, "they (the powers) should be given without reservation."

The Bill was called the *Commonwealth Powers Bill*, transferring to the Commonwealth, employment and unemployment, organised marketing of commodities, uniform company legislation, trusts, combines and monopolies, profiteering and prices, the production (other than primary production) and distribution of goods and with the consent of the Governor, primary production, but in such a way there would be no discrimination between States; control of overseas exchange and investment and the regulation of the raising of money in accordance with plans approved by the Loans Council; air transport, uniformity of railway gauges, national works in co-operation with the States, family allowances and aborigines.*

The Tasmanian Leader of the Opposition, Mr. Baker, said that the powers would expire automatically after five years or when the war ended, so that the powers were given only on probation.

"If used wisely," Sir Walter Lee said, "they might be given permanently." (Sir Walter Lee). Further he added, "No State would dare take away the powers after the expiration of the five year period."

The only opposition came from Tasmania, in particular from the Chamber of Commerce. The Premier, Cosgrove, was upset and said, "If I were to receive 100 letters from all the Chambers of Commerce in Christendom, it would not make the slightest difference."

On December 16, 1942, the *Commonwealth Powers Bill*, with one dissenter, Mr John Okerby, passed the House of Assembly in Tasmania. It was presented to the Legislative Council, but was rejected by 10 votes to 6. Its most vocal opponent was Joe Darling who now carried the letters CBE after his name. His objection was that the States

could suffer permanent damage and stated that only the people had the right to change the Constitution and it was not the right of Parliament to do so.

Mr Okerby MLA stated in reference to his fellow parliamentarians, "Dr Evatt and comrades Ward and Dedman had beautifully put it over the lambs."

Sir John McPhee and Darling's fellow cricketer, C.J. Eddy, endorsed Joe's stand.

In January 1943, a second reading of the Bill was presented to the House of Assembly. The State Attorney-General, Mr John McDonald thundered, "The Commonwealth could not be hamstrung by restrictions in the Constitution. The Bill gave power to the Commonwealth for a limited time."

Mr Lillico LC charged that these powers were "vague" and it was not necessary to transfer them.

"The Federal Government had too much power already," Joe said.

The fear remained that if the Commonwealth got those powers there would be a destruction of "individuality, incentive and independence". (Lillico)

The House of Assembly passed it again.

Determined to see it pass the Upper House, the Tasmanian Premier took the unusual step of addressing the Legislative Council with the help of Mr Baker Leader of the Liberal Party.

Endeavouring to win favour with the Council, Premier Cosgrove promised an amendment that would render the *Commonwealth Powers Bill* nugatory if it were found that the limit of five years was ineffective. Sensing the time, a move was made to defer the Bill for another occasion.

Joe rose: "The Government wanted the Bill rushed through in a night last December. Now it has made a complete somersault. It knew that if a vote were taken at the moment it would be defeated.

"The delay was a matter of tactics."

There were further rumblings of concern from Western Australia and in the House of Assembly in Hobart, Sir Walter Lee attacked the government's strategy. Opponents of the Bill described the government as "preparing to sacrifice the interest of the state."

There was a vigorous debate in the Council.

On February 3, 1943 the Bill was again rejected by the Upper House by 10 votes to 7. In the opinion of Joe the State would not recover its lost power if it went through.

According to Premier Cosgrove, unless the Federal Government was given power over employment and unemployment a depression could be expected after the war. He said this before the reintroduction of yet another Commonwealth Powers Bill.

"The possibility of a depression was a danger I want to overcome by giving powers to the Commonwealth for a period," he was quoted as saying in the local daily.

Knowing of Joe's opposition to the Bill, Dr Evatt wrote to him personally. He said:

"Dear Mr Darling....when I was a boy I saw you play cricket and was a great admirer of yours. Your name as a sportsman was well known throughout Australia, so continue to be a good sport and vote for the Bill."

Joe's son was to write: "This letter was like a 'red rag to a bull' as father disliked flattery. When he received the letter he showed it to me remarking that he thought Dr Evatt's aim was to become Prime Minister and dictator."

Joe said of Evatt's letter: "*I regard this as an insult. He started off to flatter me for all I was worth and then said, 'change your vote old chap'.*"

For a third time the Bill was passed in the Assembly on April 14, 1943. Finally, the opposition was forced to rethink its position. The leader said it was advisable for the government to drop the measure. Baker said that Council had shut the door firmly on the Bill and if the Commonwealth desired the powers it should submit the Bill to the Federal Parliament for a referendum to the electors of Australia.

On May 26, 1943, it was again resubmitted to the Council and again it was 'killed' by 8 votes to 6. The call for a referendum for the people to decide now became stronger than ever. Opposition was mounting; only two States had passed the Bill unchanged, one had passed it conditionally and two had mutilated it.

In April 1944, the Premier again announced that the Bill would be reintroduced for the fourth time. Tasmania was clearly a thorn in the Federal Government side. To help their case along Dr Evatt journeyed to Hobart to be entertained at lunch.

Evatt made no bones about it. The Bill had to go through to avoid a general upset at a referendum. While in Hobart he made himself available to discuss the Bill with those who opposed it. The Premier announced that it would be introduced in the Legislative Council, but it was becomingly abundantly clear to Evatt that there was little prospect of the government securing a sufficient swing for the Bill to be passed.

Lillico and Darling both voiced the opinion that Evatt said nothing new. Joe stated that he had not wavered in his opposition.

The Bill was a failure. It eventually went to the people at the "Fourteen Powers or Fourteen Points" Referendum. It obtained a majority in two States, Western Australia and South Australia and an overall minority of 342,018.

Joe was of course delighted and his campaigning continued on other matters. In 1945 he brought charges of corruption against Premier Robert Cosgrove and others in the administration of the Tasmanian Forestry Department, but he died before the inquiry started. He staked his political existence on his sweeping indictment and although some of his counts failed, other was established to the satisfaction of Mr Justice Kirby of N.S.W. who headed the Royal Commission.

One of the charges was that the Minister for Forests, Alfred Taylor had improperly received monies, which he said he won at the races. Darling charged that the forest industry was providing funds to the Labor Party. Although, as said, he died before the inquiry was finalized, it did come to the conclusion that the former minister for Forests, Thomas D'Alton had accepted two brides from the timber industry. Regardless of the scandal, Cosgrove's government was re-elected six months later.

Aged 75 years Joe developed gallstones and peritonitis occurred. He died after an operation on January 2, 1946. He is buried, after a Congregational service, at Cornelian Bay, Hobart. His son, Douglas, wrote of him that he was a "*strict disciplinarian, non-smoker and teetotaler, but fair*" and that he was a "*forceful and hard-hitting speaker and spared neither friend nor foe.*"



Sign at Cornelian Bay Cemetery



Joe's tombstone with plaque mentioning his cricket career

*It is interesting to note, without further referendums, the Commonwealth Government over the decades has actually now obtained many these powers from the States.

(1) Claremont House (previously had been known as Lady Clark House) of 33 rooms in 2013 became privately owned and was being extensively repaired. It has had a checkered history. Owned the land was originally (1815-1826) by John Pascoe Fawkner it included 93 acres of land. It was built possibly by Henry Bilton up who lived there until 1889 and was once Warden of Glenorchy. He increased its acreage. Owners from 1889 were Frank Bond for a short time, then Albert Flexmore who sold some of the acreage to Cadbury's estate. From 1911-1919 Kathleen Brock brought it who then married an aristocrat from England, Captain Otway Cottrell-Dormer, making her Lady Dorma. The

marriage did not survive when she ran away with the chauffeur and moved to Kingston. Much of the land was then broken up into blocks. Joe Darling owned it from 1919 until 1941, afterwards becoming the Lady Clarke Hospital administered by the Red Cross. Later it became the Douglas Parker Rehabilitation Centre, then from 1980 until 1989 administered by the Adult Education Centre. The grand old house became empty and further land was sold for the secondary collage. During the time of public ownership it fell into drastic disrepair to the point there were plans to demolish the fine old building. Vandalism became a problem and apparently still is with youths (also from the college) attacking it by smashing the windows. Fortunately the public became aware of it and is now saved being listed with the National Trust, thus protected, including the grounds of which only 5 acres remain. During WWII Tasmanian prisoners of Changi (Singapore) were rehabilitated there. Interestingly enough, also during WWII, Italian prisoners of war were housed in the 'chauffeur's' house at the back of the mansion.

In 2017 it has become a prestige guest house

In his retirement Joe wrote a book, "Joe Darling on Cricket".

(2) Filed with the Registrar of Deeds 21st April 1921. (No. 15/3138)

- In January 2019 a book was released on Joe titled, **Joe Darling, Cricketer, Farmer, Politician and Family Man** authored by Bernard Whimpress and Graeme Ryan.
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- REG. A. WATSON is a Tasmanian historian and author. www.regwatson.com
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