

THE VESEY-FITZGERALD FAMILY

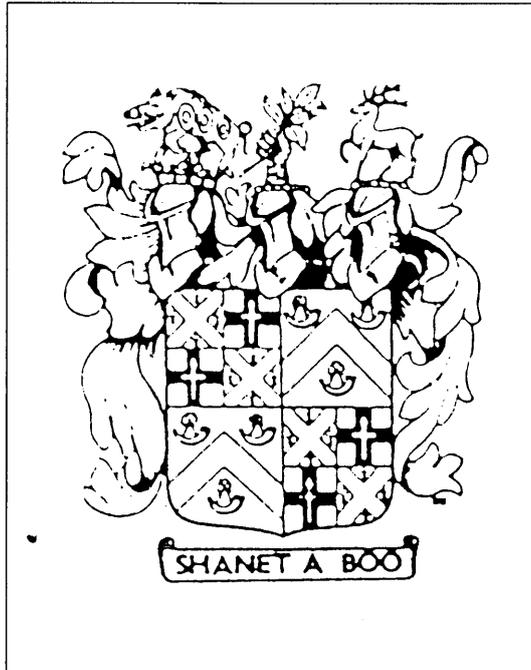
Joe Power

This family, long associated with County Clare, had a most distinguished record in the legal and political world in Ireland and England from the 1770s to the 1840s. This branch of the Anglo-Norman race claimed descent from the White Knight of Kerry, and like so many of their type 'became more Irish than the Irish themselves'. Transplanted during the Cromwellian upheavals they acquired lands in Galway and Clare, and to retain these properties during the Penal times they became part of the Protestant ascendancy. However the best-known members of this family, though Protestant, were strong advocates of Catholic Emancipation. This essay attempts to highlight the fortunes of this famous Clare family.

The family records are traced back to the Fitzgibbon family, a branch of the White Knight's clan. They held estates in Clangibbon near Mallow, Co. Cork, in the 1630s. The castle of Coolcam and the estate of Clangibbon were forfeited after the suppression of the 1641 rebellion in which Gerald Fitzmaurice Fitzgibbon took the side of the Catholic confederates. He was transplanted to the borders of Clare and Galway sometime after the Cromwellian victory in 1652. Ironically, his son and heir, Gerald Fitzgerald Fitzgibbon, married Margaret Ashe the only child and heiress of Capt. Moses Ashe of Ballyline, Co. Clare, a Cromwellian officer. A son of that marriage, named Maurice, dropped the Fitzgibbon surname and thereafter the family became known as the Fitzgeralds. He married a Miss Penelope Barrett of Hillsborough, Co. Clare, by whom he had a son William Fitzgerald of Lahardan Co. Galway, who was born in 1714 and who practised as an attorney in Ennis. William Fitzgerald augmented his fortune by marrying a co-heiress of Pierce Lynch of Rathfiladown, Co. Galway. The second son of that marriage achieved high honours and distinction in the legal and political spheres in Ireland.¹

Right Hon. James Fitzgerald, M.P.²

James Fitzgerald Esq. was born in 1742 and was educated at Trinity College, Dublin, where he had a distinguished student career. Like his father he became an attorney-at-law and was called to the Irish bar in 1796. He soon built up a reputation as a sound lawyer and an eloquent advocate in court. He was attracted to political life becoming an M.P. for several constituencies in the Irish and British Houses of Commons. From 1776 to 1783 he was M.P. for the constituency of Fore, Co. Westmeath. He was one of the leading orators of the day in the time of Grattan and Flood, and generally supported the liberal or patriotic party. He delivered his most controversial speech in 1782 during which he proposed a measure of Catholic relief from the Penal Laws. This courageous speech to the all-Protestant assembly in Dublin ensured



his election in 1783 when he was nominated for and was successful in two constituencies i.e. Tulske, Co. Roscommon and Killybegs, Co. Donegal. He chose to be M.P. for Tulske. James Fitzgerald M.P. never sought political office, but his eloquence and legal acumen ensured rapid promotion in the government service. He became 3rd Sergeant in 1779; Second Sergeant in 1784, and Prime Sergeant in 1787 a position which he held until 1799. This most important office gave him precedence over the Solicitor-General and the Attorney General of Ireland. In 1797 he was elected for the borough of Kildare in the last Irish Parliament before the Union. He was vehemently opposed to the union of the British and Irish Parliaments

and he distinguished himself in all the debates which preceded the final abolition of the Irish Parliament. After a debate in the House of Commons held on 19 January he refused to vote with the government on a proposal to abolish the parliament. During a speech he said

I refuse to vote away the constitution of my country and the liberty and property of my people. Neither the Lords nor the Commons had the right to vote away their inalienable rights, nor those of the Irish people.

He ended his speech with the advice given by Dr. Johnson: 'Don't unite with us or we shall rob you as we have robbed the Scotch!' The government motion was defeated by 109 votes to 104.³ For this brave and eloquent

speech he was dismissed from his lucrative post of Prime Sergeant. The government made an example of two of its principal office-holders in the Irish administration, James Fitzgerald and Sir John Parnell (grandfather of Charles S. Parnell), in order to cow the rest of the office-holders into submission to its policy on the Union.

The government soon found a replacement for James Fitzgerald in St. George Daly, a barrister, who up to then apparently never had a brief, and soon proved incompetent. Another Clare man, John Ormsby Vandeleur of Kilrush was not loth to take Parnell's place in the administration. In an unprecedented vote of confidence the Irish bar expressed their thanks for the disinterested patriotism of the Right Hon. James Fitzgerald M.P. and they continued to accord him precedence over the Attorney General and the Solicitor General until the Lord Chancellor, John Fitzgibbon, later created Earl of Clare, put an end to this embarrassment.⁴

The gentry of Clare held a meeting at Ennis Courthouse on Thursday, 31 January to consider the parliamentary conduct of the Right Hon. James Fitzgerald, M.P. Esq. That meeting, attended by the leading electors of the county, voted an address of thanks to James Fitzgerald:

You deserve the affections of the people of Clare and of Ireland for your dignified and patriotic con-

duct. You preferred the salvation of your country and your own honour to all the attractions of station and emolument. As long as the 25th of January 1799 [the date of the vote in the Commons] is remembered, your name will hold a distinguished rank among the glorious saviours of Ireland.⁵

Undaunted by his punitive dismissal, James Fitzgerald continued his opposition to the union proposals and in a major debate in the House of Commons in April 1799 'He combatted with uncommon force and ability every argument in favour of the Union' in a speech lasting four hours. He ended his speech with an oratorical flourish:

If I could address all descriptions of Irishmen of every religious persuasion, it would be in these words:

Your country is in danger, your constitution and liberty are in danger. Unite and preserve them. Tell the Minister he shall not take them from you, that you will not be his dependents, nor submit to the disgrace of being annihilated as a nation and as men. Above all, make no change from experience; make no political connection that you cannot revoke. Your constitution has been the source of prosperity and happiness, if you give it up you and your country are lost. Keep your parliament while you have it. Remember you have a country and are men.⁶

Despite this and other speeches from the patriotic party, the bill to abolish the Irish Parliament was passed by a large majority through bullying and bribery by the British government. James Fitzgerald accepted the vote and he stood for the Ennis constituency in 1802. Clare held three seats in the new parliament, two for the county and one for the borough of Ennis. James Fitzgerald owned half of the borough of Ennis which he had purchased for £4,000. The O'Briens of Dromoland owned the other half. These parties had an arrangement among themselves about the representation of Ennis. James Fitzgerald sat in the Imperial Parliament for Ennis from 1802 until 1808 when he resigned in favour of his son. He stood again for Ennis in 1812 and finally retired from active political life in 1813.

James Fitzgerald was offered a peerage but he declined this honour. He had married Catherine Vesey, daughter and co-heiress of Rev. Henry Vesey, Warden of Galway, in 1782. She became known as Baroness Fitzgerald and Vesey of Clangibbon, Co. Cork, in the Irish peerage with remainder to her male issue by James Fitzgerald. James Fitzgerald's principal seat was Moyriesk House near Quin, but he retired to Booterstown, Co. Dublin, where he died in 1835 aged 93.

William Vesey Fitzgerald⁷

William Vesey Fitzgerald, the elder son of the Right Hon. James and Baroness Fitzgerald, was born in 1783. After education in Ireland he spent three years at Christ Church, Oxford, where he gained a reputation as a young man of ability. In 1808 his father, anxious to promote the interests of Vesey, stood down as M.P. for Ennis in his favour. Thus Vesey became an M.P. at the age of 25, but, perhaps because of his immaturity, he was shortly afterwards involved in a great scandal of the time known as the Mary Anne Clarke affair.

Mrs. Mary Anne Clarke (1776-1852) was of obscure background. She married a stonemason after she had had two children. She had also acted at the Haymarket theatre in London, playing the role of Portia in *The*

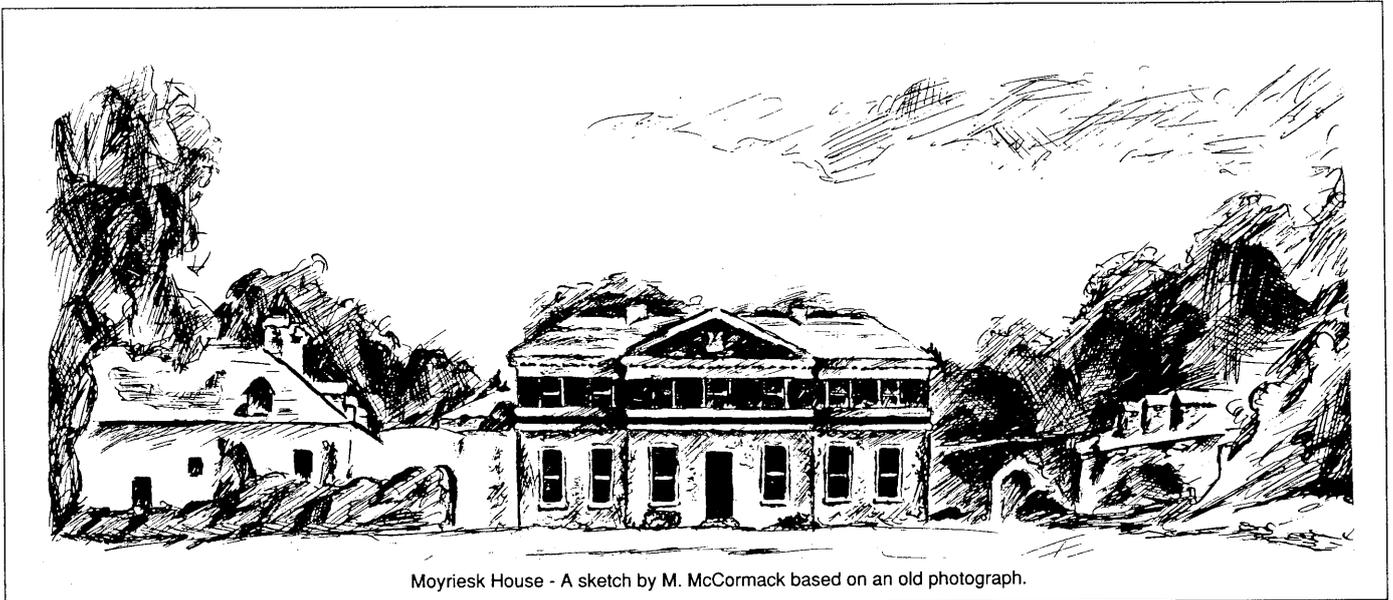
Merchant of Venice. She subsequently became the mistress of Frederick, Duke of York, a brother of the King of England. The Duke had met her at Blackheath and he took her to the royal box at the theatre. Soon she was living sumptuously. She took a great house at Gloucester Place, London and she entertained lavishly. The Duke had apparently promised her £1,000 a month (a fortune then) but he had only paid her occasionally. Her extravagant lifestyle, with an irregular income, soon got her into financial difficulties, and she was pressed by creditors. The Duke, who was Commander-in-Chief of the army, with enormous patronage, was of an easy-going temperament and completely under her spell. In order to raise some money she used her position of influence with the Duke, and for the promise of that influence she got large sums of money from officers seeking promotion.

This scandal became public knowledge in 1809 when the Duke was charged on eight counts of misuse of military patronage. The charges were not proven, but the fact that Mrs. Clarke had accepted money was established. However, her beauty, courage and "sauciness" in withstanding the long court examination won admiration from many people. The Duke had to resign as Commander-in-Chief and he broke off his relationship with Mrs. Clarke. She was prosecuted for libel but was not convicted. Ever audacious and enterprising, she threatened to publish her love letters from the Duke. After negotiations the letters were purchased for a sum of £7,000 and she also received a sum of £400 per annum for her services to the Crown. She had a few scores to settle, however, and in 1813 she published a pamphlet entitled *A letter to the Right Honourable W. Fitzgerald* in which she implicated him in the affair and maligned his character. William could not let this pass and took her to court for libel. His reputation was vindicated and she was condemned to nine months imprisonment for libel.⁸

Undoubtedly William Fitzgerald was involved in this royal affair, and although there may have been some truth in the charges she had laid against him, he emerged from the scandal with his reputation intact. He rendered services to the government and the courts in giving information on the affair and, presumably, for this was rewarded by being appointed Lord of the Irish Treasury and Privy Councillor for Ireland in 1810. Further promotion soon followed: in 1812 he was sworn as a member of the English Privy Council; he became Lord of the Treasury in England, Chancellor of the Irish Exchequer and First Lord of the Irish treasury.

Before the Clarke libel case of 1813 he resigned as M.P. for Ennis and his father held the seat for him until the case was settled. Vesey sought to win a seat in the county constituency in the 1812 election but was beaten into third place. Having failed to win a county seat he returned to the safe family seat of Ennis in 1813. He retained the ministerial portfolios until 1816 when the English and Irish treasuries were amalgamated. In 1815 he had assumed by royal licence his mother's name of Vesey upon succeeding to some of the Vesey estates. In 1822 he unsuccessfully claimed the title of the White Knight.

William Vesey changed from the borough of Ennis to the county constituency in 1818 and he was M.P. for Clare from that date until 1828. His career took a new course in 1820 when he was appointed ambassador to the court of Sweden. But after three years of fruitless endeavours to persuade King Bernadotte to repay large sums of money given to Sweden by England during the Napoleonic wars, he was recalled to England. Lord



Liverpool made him Paymaster General of the armed forces in 1826. In June 1828 there was a vacancy in the Duke of Wellington's cabinet and William was offered his first cabinet seat as President of the Board of Trade. This cabinet appointment necessitated the famous Clare election which had major consequences for Irish and British politics, ending in Catholic Emancipation.

Vesey-Fitzgerald opened his electoral campaign with an appeal to the people of Clare:

I have represented the wishes and convictions of an immense majority of those who sent me to parliament ... it has been my pride to unite on every occasion my Protestant and my Catholic constituents and, hitherto, all differences have been unknown amongst us.⁹

Within a few days the candidature of O'Connell was announced and the Tory establishment was shocked at the prospect of an electoral battle. A London *Times* report noted: 'Clare is threatened with the horrors of a contested election - a gross departure from common decency and common gratitude. Vesey Fitzgerald was a steady and consistent supporter of emancipation.'¹⁰

In a letter to the press, O'Connell launched a trenchant attack upon Vesey Fitzgerald's record in Parliament. O'Connell argued that if Vesey Fitzgerald was rejected by the electors of Clare that Emancipation would be at hand. He urged the freeholders of Clare to scorn the hypocritical pretensions of Vesey-Fitzgerald, that minion of Orange ascendancy. He had even voted with his friend and your enemy Mr. Peel against the emancipation of the Protestant dissenters [Presbyterians, Methodists, etc.]. He held a junior office in the administration of Mr. Perceval (a bitter and malignant enemy of all Catholics), who had reduced the annual grant to Maynooth. He [Vesey] had voted against parliamentary reform to equalise constituencies. Vesey Fitzgerald had pocketed £100,000 of public money since 1810. He supported the Duke of Wellington, another bigoted Orangeman. Any Catholic who would vote for Vesey-Fitzgerald would be a traitor to his religion. He had also voted for the suppression of the Catholic association [founded by O'Connell]. Vesey-Fitzgerald had supported every administration which was hostile to Catholic Emancipation.

How, therefore, asked O'Connell could he claim to be a friend of the Catholics? It was wretched hypocrisy

on his behalf. The Catholics of Ireland would deserve scorn if they supported Vesey-Fitzgerald and Orange Peel against Old Ireland and the Catholic cause.¹¹

Vesey-Fitzgerald attempted to answer these charges in a public debate at Ennis. He stated that it was his fifth time at the hustings, (in fact it was only his second contested election, he was beaten into third place in the county constituency in the 1812 election; and on the other occasions there was no competition). Vesey Fitzgerald wished to clear his name from the ungenerous aspersions which seemed to convict him without trial. He denied the charges of hypocrisy as a man of honour and a gentleman. He now regretted voting for the suppression of the Catholic Association. He did so, he said, in the interest of the Catholic cause. He only voted against the repeal of the Test Acts and Corporation Acts because the Protestant dissenters hated the Catholics! He stated that he was not ashamed of being in the confidence of the Duke of Wellington. He admitted that he had honestly, but feebly, supported the claims of the Catholics. As regards receiving £100,000 of taxpayers money, he stated that for thirteen of the twenty years of his public life he received nothing. In fact he received a quarter of that sum of money. It was painful for him to state that he never held an office which did not require him to spend two or three times more money than he received in salary.

He stated that he had proposed the consolidation of the Irish and English treasuries in 1816, thus voting himself out of office in the interest of saving public money. He did not seek compensation for this nor demand another office. When he served abroad he spent far more than he received. During his parliamentary career he had several times refused the office of Privy Councillor. Vesey Fitzgerald said that he was supported by the unanimous voice of the gentry of Clare, a proud and honourable constituency, and that he did not wish to alienate the tenantry from their landlords. He finally broke down in tears when he recollected the service given by his father, who was then sick in bed. After a few minutes of sobbing he concluded.

O'Connell responded to Vesey's emotive appeal by scorning the 'crocodile tears' and by stating that he opposed 'the system of sweet and sugared words combined with hostile acts'.¹²

On polling day Vesey-Fitzgerald left from Stamer Park for the Court-house, accompanied by the 'rank,

respectability and property of the county', more than 300 men, not one of whom, according to the *Clare Journal*, had less than £400 p.a. Five gentlemen had offered him £4,500 to fight the election, but he declined.¹³

He was proposed by Sir Edward O'Brien, Baronet, of Dromoland and seconded by Sir Augustine Fitzgerald, Baronet, of Carrigoran. His opponent, O'Connell, was proposed by The O'Gorman Mahon, Esq. and seconded by Tom Steele, Esq. The vast majority of the forty-shilling freeholders were not impressed by Vesey-Fitzgerald's record in Parliament, preferring O'Connell's rhetoric; and O'Connell was elected by a massive majority. When the result was announced Vesey-Fitzgerald was shattered. However, O'Connell and his supporters publicly attested to the private worth of Vesey-Fitzgerald. They regretted that he should have been the victim through whose person the Wellington administration was to be assailed. They stressed that it was a victory over a party and a principle, not over a person.¹⁴

Though disappointed in his home constituency, Vesey-Fitzgerald was provided with a seat at Newport in Cornwall in 1829 and he held the cabinet seat for about a year. In 1830 he resigned the Presidency of the Board of Trade owing to ill health. In August 1830 he was elected for the constituency of Lostwithiel. Finally, in 1831, he was chosen for the borough of Ennis and he represented the town until February 1832, when upon his mother's death he became the 2nd Baron Fitzgerald and Vesce. In 1831 he was rewarded with the position of Lord Lieutenant of Co. Clare, a position he held until his death.

In 1835 Sir Robert Peel created Vesey-Fitzgerald an English peer, Lord Fitzgerald of Desmond and Clangibbon, which entitled him to sit in the House of Lords. Finally in 1841, Sir Robert Peel offered Lord Fitzgerald his second cabinet seat as President of the Board of Control for India. He held that office till his death in May 1843.

Baron William Vesey-Fitzgerald died at his home in Belgrave Square, London, on 11 May 1843. At the time of his death he was a Trustee of the British Museum, President of the Institute of Irish Architects, and a Fellow of the Society of Antiquaries: "he was a man of refined literary taste."¹⁵

After his death the U.K. peerage became extinct and he was succeeded in the Irish, as 3rd Baron Clangibbon, by his brother Henry, M.A. L.L.D., Dean of Kilmore. Following Henry's death in 1860 that title also became extinct as he was survived by daughters only.

One of James Fitzgerald's daughters had married John Leslie Foster, M.P., a baron of the Court of Exchequer of Ireland in 1814. Following the deaths of Lord Vesey-Fitzgerald and Lord Henry Fitzgerald, and in accordance with the terms of their wills, the Fosters added the names Vesey-Fitzgerald to their own by royal licence in 1860.¹⁶ There were three sons of that marriage, William Leslie Foster-Vesey-Fitzgerald of Moyvane, Co. Kerry and Kilmurry McMahon, Co. Clare; Right Hon. John Foster-Vesey-Fitzgerald, P.C., Colonial secretary of Victoria, Australia and later Acting Governor of Victoria; and James Foster-Vesey-Fitzgerald, D.L., Co. Clare, and J.P. of Clare and Galway, who inherited Moyriesk House and estate. James who was sheriff of Clare in 1868 died in 1893. He held 1,047 acres worth £854 p.a. in 1876.¹⁷ Moyriesk House was accidentally burnt on 17 April 1875: the house and contents were destroyed, with damages estimated at more than £3,000.¹⁸ Today, there are members of the Foster-Vesey-Fitzgerald families in

Australia, Canada, England and Ireland.

Although he died unmarried in 1843 Lord William Vesey-Fitzgerald acknowledged a son, the Right Hon. Sir William Robert Seymour-Vesey-Fitzgerald, P.C.; CSI, and K.C.S.I. J.P. D.L., who was born in 1818.¹⁹ He was educated at Oriel College, Oxford from where he graduated with an M.A. in 1844. He attended Lincoln's Inn in London and qualified as a barrister. Sir William was M.P. for Horsham, Surrey, from 1852 to 1865. He was Under-Secretary of State for foreign affairs under Lord Derby during the years 1858 and 1859, and was a member of the Privy Council. He held the position of Governor of Bombay from 1866 to 1872. He was knighted for his services in 1867. Sir William married in 1840 and he had several daughters and a son, also William, who was born in 1841.

Sir William Gerard Seymour-Vesey-Fitzgerald²⁰ was educated at Harrow and at Oriel College Oxford. Like his father and so many of his ancestors he entered the legal profession after qualifying as a barrister from Lincoln's Inn in 1865. He was private secretary to his father when he was Governor of Bombay from 1866 to 1872; and he was Aide-de-Camp to the secretary of State for India from 1874 until his death in 1910. He was succeeded by several daughters. Thus, the direct male line of the Vesey-Fitzgeralds died out in 1910.

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Further information on the parliamentary career of Vesey Fitzgerald may be found in: Sir Jonah Barrington *Personal Sketches of his own time* 3 Vols. (1832); F. Hardy, *Memoirs of the political and private life of James Caulfield, Earl of Charlemont*, 2 Vols. (1812); Henry Grattan, *Grattan, Memoirs of the life and times of the Rt. Hon. Henry Grattan, by his son*, 5 Vols. (1839-46); M. McDonnell Bodkin, *Grattan's Parliament*.

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