Abstract
A 40-year trickle of books, articles and papers on Irish lawyers in Australia has focussed on fewer than a dozen Irish barristers as colonial legislators and judges. Likewise, the Australian Dictionary of Biography selected about fifty Irish settlers with legal qualifications and concentrated on their public lives. Little of this is about the lawyers as lawyers or the Irishmen as Irishmen, and serves neither Australian legal historical scholarship nor Australian Irish cultural purposes.

Between 1838 and 1845, four cousins from Kerry were admitted to the practice of the Supreme Court of South Australia. One, a King’s Inn barrister, became Advocate General almost immediately and Acting Judge soon afterwards. Another, an attorney, served as Assistant Crown Solicitor, and a third assisted him. Publicly, they conducted the early colony’s civil and criminal administrations. Privately, they acquired landed property, joined legal and cultural groups, and enjoyed high social status. These characteristics fulfill the criteria that now dominate the limited literature of ‘Irish lawyers in Australia’. Here are the hallmarks of the vaunted Irish legal stamp on British colonial law.

Appearances deceive. These Kerry cousins did not succeed by any of the usual measures. All died young soon after arriving. They contributed nothing notable to professional or, indeed, colonial life. None is remembered in Ireland or in Australia. Are they exceptions to the rule about Irish lawyers in Australia? If so, what is the rule?

The paper is both a report on a sample and a critique of a methodology. What does the particular tragedy of the Kerry cousins tell us about how to study the impact of Irish lawyers in Australia?

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