

# atmitchell.com

By David Ash

The redoubtable Joe Cahill left school at sixteen to begin work in the Eveleigh Workshops, and yet it is he and not better educated leaders whose presence is felt in our cultural landmarks. He was the driving force behind Joern Utzon's Opera House, and so it is that one now drives on the Cahill Expressway past the white sails. The Cahill Expressway also passes Sydney City Council's new public library at Circular Quay and draws to an end just past the Mitchell Library.

If the Cahill Expressway is about as far as we can go with a roadway, and doubtless too far for some, then it is meet that the Mitchell Library has begun its own highway to a cyber future with its ambitious project, atmitchell.com. And it is ambitious: it aims to have the greatest online collection of Australiana in the world. There are six portals:

- ◆ History of our nation;
- ◆ Literature; arts in Australia;
- ◆ Law & government;
- ◆ Social studies; and
- ◆ Environment, science & technology.

The naming and placing of the portals is informative; history has repaid our federal government's concern for it by coming first, and it is surely no bad thing to have a library unafraid to promote Literature above the arts generally. And law can be happy. Not only does it pip the executive, but it leads all remaining liberal arts as well, and never mind the sciences.

The home page for 'Law & government' contains one of Anon's better known watercolours, *The Arrest of Governor Bligh*, c 1808, a highpoint neither for law nor for government, but an apt entrepot for the subject in colonial Australia. 'Law & justice' – the first subportal, if that is the word, of the 'Law & government' site – was launched by the chief justice on 7 August 2006.

The site is thematic rather than chronological, though doubtless over the years and decades ahead, the increasing sophistication of search engines will allow users to retrieve information in whatever form they like.

For now, the emphasis must be simply getting the material on. And that means digitising thousands upon thousands of photographs, diary extracts, books, journals, official records, correspondence and ephemera. Often, the primary document might be difficult to decipher, and the user will be presented not simply with the original script, but with a transcript.

There are thus far five subjects in the 'Law & justice' site,

- ◆ Establishing law and order;
- ◆ Convict life;
- ◆ Notorious felons;
- ◆ The law makers; and
- ◆ Practising the law.

As yet, there appear to be no plans for 'Notorious judges', although the nineteenth century provides fertile ground.

The first lawmaker to be profiled is David Collins, who arrived with

the First Fleet with the designation deputy judge-advocate. There is a letter from the British politician and administrator Evan Nepean to Lord Sydney about Collins's appointment. Nepean records a discussion with Lord Howe, at that time in an illustrious career Pitt's first lord of the Admiralty. Nepean, after noting Collins's appointment with favour, says that:

When I mentioned a civil & criminal court his Lordship seemed rather surprised as he had understood that the whole way to have been under military law, Convicts as well as soldiers, and though I attempted to convince his lordship that the former were not amenable to military discipline, he did not appear satisfied, but seemed to think perhaps without considering well the importance of the subject that they should be punished according to the discretion and judgment of the governor even in capital part. How far his Lordship's opinion upon this matter may be proper to be adopted I will not pretend to say, but I should think that such a discretion would occasion infinite clamour at home. However the matter will be talked over when the Cabinet next meet and I suppose something conclusive will be done.

Something was done, or at least whatever Howe wanted done, wasn't, to the colony's lasting benefit.

Under 'Practising the law', there is the day book of Edward John Cory, a solicitor. I'm not much familiar with Cory, but he is an advertisement for the elegance of the itemised bill: there is 'To attending you taking instructions relative to your defence before the coroner upon a charge of manslaughter of James Russell'; then there is the conscientious practitioner's delight 'attg. police office defending you when case was dismissed prosecutor not appearing'; there is 'A warrant having been issued against you for fraud to attendg. the mayor to see if he would take bail for your appearance on Monday morning'; and there is the enigmatic 'To attg. you as to the matter of your child' under the heading '(you v. faithful)'.

Further, from counsel's point of view, Mr Cory is a satisfactory instructor. Interspersed between these attendances are records of regular payments of brief fees, counsel of choice being one Mr Windeyer.

And the letter can be seen in all its facsimile glory, courtesy of the digitising process. A process which includes a rather neat function whereby the document is called up and the pages can be turned, all the while with the transcription to a Times New Roman font a click away. While it's not quite the real thing, it's a remarkable tool. Bear in mind, too, that the library probably wouldn't let you too near the real thing and that if it did, you'd have to wear gloves.

A piece which will satisfy the earnest devil is the Rules and orders of the Supreme Court from 22 June 1825. Again, these are in the facsimile form, complete with Sir Frances Forbes's handwritten additions continuing to 1831.

The site, along with the project as a whole, is a work-in-progress. It is organic, in that it is intended to adapt around the very information it is digitising. For the while, the amount of loaded content is small. But it will grow, and is already of interest to lawyer and lay alike. It is a feat worth our continuing support.