

## Penal colony history just a web link away

By: Lauren Wilson

IN a macabre twist to the genealogy trend, descendants of early NSW penal colony inhabitants can now access a database of about 1300 convicts executed or shipped off to the hellish conditions of Norfolk Island.

The website of the Francis Forbes Society for Australian Legal History lists information about those who were sentenced to death in NSW during the state's heaviest period of capital punishment, from 1826 to 1837 under the rule of governors Darling and Bourke.

During the period, 377 people were hanged and many who met Australia's "bloody code" of justice did so for minor offences -- on March 4, 1836, John Smith was executed in Sydney for stealing clothes.

History buff Tim Castle compiled the database as part of an honours thesis -- juggling the research with his day job as a Sydney barrister. "I was initially interested in the question of how mercy was exercised in capital punishment cases," Mr Castle said.

"The use of hanging was not simply about justice at all, but about sending a political message about the power of the government to put down violent gangs in outlying areas."

Secretary of the Francis Forbes Society Geoff Lindsay SC said projects such as Mr Castle's database of capital punishment made an important contribution to Australian legal history.

"Until the 1860s there were no formal law reports. Now people can see what actually happened for the first time," he said. "People are realising that fiction is a wonderful thing, but that there are many non-fiction stories that are equally exciting."

The Castle Database can be accessed at: <http://research.forbessociety.org>.