



## **The Francis Forbes Society for Australian Legal History**

ABN 55 099 158 620 ACN 099 158 620

**3** June 2019

Dear Forbes Society Member

### **Re: Membership renewal – Forbes Society 2019-2020**

At this time of year, renewal of your subscription to the Forbes Society is sought. Memberships are renewed annually, and run for the period from 1 July 2019 to 30 June 2020.

Membership fees are unchanged from 2018-19:

- (a) Ordinary member – \$60 incl GST
- (b) Ordinary member – full time student – \$20 incl GST
- (c) Corporate member – \$120 incl GST

The Society is dedicated to studying and documenting the history of Australian law. Its membership includes legal practitioners, academics, journalists and students.

### **Lectures in 2019**

#### **The Forbes Lecture – Professor Anne Twomey**

The Annual Forbes Lecture is an important event in the Forbes Society calendar. It provides a forum for prominent legal identities, selected by the Society's Council, to present a public lecture on a substantial topic of interest.

This year's Forbes Lecture, *Pitt Cobbett - A Pre-Engineer's Ghost Speaks from the Grave* will be delivered on Wednesday 5 June 2019 by Professor Anne Twomey. It will be delivered at 5.15pm in Court 13A (on Level 13 of the Law Courts Building in Queen's Square, Sydney) and will be chaired by The Hon J L B Allsop AO, Chief Justice of the Federal Court of Australia.

#### **The JH Plunkett Lecture**

Another important, annual event in the Forbes Society's calendar is the JH Plunkett Lecture, to honour the memory of one of the State's pivotal Attorney-Generals. Plunkett (1802-1869) arrived in New South Wales in 1832. For more than 30 years thereafter he made a major contribution to colonial law and society serving, *inter alia*, as Solicitor-General and Attorney-General. In 1835 he published *The Australian Magistrate*, the first Australian legal practice book. He was the first Australian lawyer to be granted a commission as Queen's Counsel.

The 2018 Plunkett Lecture *The Royal Prerogative of Mercy in the NSW Bar Common Room* was presented by the NSW Attorney General, The Hon Mark Speakman SC MP on 29 October 2018 and chaired by Tim Game SC, Senior Vice President of the NSW Bar Association.

## **Australian Legal History Tutorials**

A major activity for the Forbes Society over recent years has been the conduct of tutorials on Australian legal history. The tutorial program is continuing.

The first tutorial in the 2019 series was delivered by Dr Simon Chapple (Secretary of the Society), on Tuesday 21 May 2019, 'Introduction to Australian Legal History'. Other scheduled tutorials in this year's series are:

- Professor Mark Lunney (Junior Vice President of the Society; Professor of Law University of New England), Dr Tanya Josev (Senior Lecturer, Melbourne Law School) and Dr Susan Bartie (Lecturer, University of Tasmania Faculty of Law) *Legalism in the twentieth century: the chameleon concept*, on 3 September 2019;
- the Hon J Campbell QC, *History of Equity*; and
- the Chief Justice, the Hon T F Bathurst AC *History of the legal profession in NSW*, on 18 September 2019.

## **The Forbes Flyer and circular letters**

The Forbes Society endeavours to keep its membership aware of developments in Australian legal history by publication of its electronic newsletter, *The Forbes Flyer*, and by the distribution of updates by email.

All members of the Society are cordially invited to participate actively in its affairs.

## **The Forbes Fund – support for research projects**

One of the Society's objects is to encourage and promote research into Australian legal history and it maintains a fund for that purpose to which donations may be made – the Francis Forbes Fund. As trustee of the Fund the Society is able to assist work undertaken through, or in association with, Universities. Members and Friends of the Society are reminded that donations to the Forbes Fund (in the sum of \$2.00 or more) are tax deductible.

**Pitt Cobbett's grand opus called 'The Government of Australia':** Members will recall that in 2017 and 2018 the Council approved grants from the Fund to the University of Sydney to support this project. In early 2018 Professor Twomey had said of the project:

Professor Pitt Cobbett wrote his grand opus on *The Government of Australia* in his retirement, leaving it as an 'unfinished symphony' upon his death in 1919, with a request to his executors that it be finished, edited and published. But the High Court handed down its judgment in the *Engineers Case* the following year, and the executors decided the manuscript was out of date. It was instead donated to the University of Sydney and has sat quietly moulding there ever since. It is now a work of great historic importance, showing how the Constitution was understood in the first twenty years of its existence.

The Forbes Society has kindly supported the project of finishing, editing and publishing this work. The aim is to publish it upon the centenary of Pitt Cobbett's death, in 2019. The Society donated \$8300 to pay a PhD student to check the footnotes of the book and to help subsidise publication to make it viable. Unfortunately, the full \$8,300 was spent on the footnote checking, as it turned out that as Pitt Cobbett's illness increased the accuracy of his footnotes decreased and considerable work had to be undertaken to find the correct sources. I am therefore hoping for some additional assistance from the Society later in the year to subsidise publication so that it can be published as a hardback book for libraries and scholars to consult for generations. The support of the Society is essential for this type of work, which would otherwise not see the light of day and remain moulding away, unseen and forgotten. We will not learn from our past unless our history is readily accessible. The Francis Forbes Society ensures that it is.

**'Sir Francis Villeneuve Smith, Third Chief Justice of Tasmania 1870-1855'** by Dr J.M. Bennett and Ronald C Solomon, published in 2019 by Federation Press. The publication is the culmination of a research project supported, in part, by a grant from the Fund made in 2015. F V Smith was fourth Premier of Tasmania (post Responsible Government); Supreme Court Judge 1860-1870; and Chief Justice 1870-1885.

### **Benefits of Membership of the Forbes Society**

These include:

- (a) timely notification of legal history events *via* circular emails sent to members from time to time;
- (b) receipt of the members' newsletter, *The Forbes Flyer*, which is published regularly and available on the Society's website at [www.forbessociety.org.au](http://www.forbessociety.org.au);
- (c) opportunities to obtain discounts on publications from time to time published or arranged by the Society.

### **MEMBERSHIP RENEWAL FORM**

To renew your membership fill in the 2019/2020 Membership Renewal form **attached**.

Membership renewal forms should be sent to:

**The Treasurer**

The Francis Forbes Society for Australian Legal History  
c/- New South Wales Bar Association  
DX 1204 SYDNEY

Lower Ground Floor, Selborne Chambers  
174 Phillip Street, SYDNEY NSW 2000

Or may be faxed to: (02) 9221 1149. If you have any queries, please contact Fiona Williams: telephone: 9224 1586 (email: [membership@forbessociety.org.au](mailto:membership@forbessociety.org.au))

Alternatively you may contact the Council Secretary or Treasurer:

**Secretary:** Simon Chapple

Telephone: 9335 3082 (email: [secretary@forbessociety.org.au](mailto:secretary@forbessociety.org.au))

**Treasurer:** Carol Webster SC

Telephone: 9224 1550 (email: [treasurer@forbessociety.org.au](mailto:treasurer@forbessociety.org.au))

We look forward to your continued membership and support of the Francis Forbes Society.

Yours,

**Carol Webster SC**  
**Treasurer**

**Simon Chapple**  
**Secretary**