MAY MEETING

Legal Historical Developments of Wollongong

Firmly based on the local scene, Miss Antonia Lomny’s address to the May meeting was of great interest to those members who braved the very wet evening. Miss Lomny has graciously provided the following summary of her talk:

It is open to considerable dispute who was the first to practise as solicitor in Wollongong. The earliest solicitors practising in the 1850s were Robert OWEN, his son, Percy Sturt Moncrieff OWEN and Samuel Sandilands ROGERS. Some authorities in the area have nominated Percy Owen as the first. Yet, although he was the first of the Owens to settle in the Illawarra, his legal practice was set up in Kiama (c.1851) whilst Robert Owen set up a practice in Wollongong circa May 1852. Father and son were eventually to form a partnership in May 1857.

The Owens were soon to be hailed as “illustrious citizens”. Their contribution to the community of Wollongong was great. Apart from his legal practice Robert Owen applied himself to “politics, grazing and investments”. In 1858 he was requisitioned to stand as representative of East Camden in the Parliamentary election. By 1859 his interests were broadened when he was appointed District Court Judge for the New England area — being the first solicitor in N.S.W. to receive a direct judicial appointment.

In 1861 he resigned the Judgeship and took up again his residence in Wollongong, more as a private and retired citizen, leaving the firm to be carried on by Percy Owen (in Wollongong) and his brother, Robert Hall Owen (in Barney Street, Kiama) under the style Owen Bros.

Samuel Sandilands Rogers started practice in Wollongong in 1856. He was active in court work meeting, often, Robert Owen in and out of court. He too was public — spirited — often attending Society Dinners, Literary and debating societies and public meetings of ratepayers. Yet his good standing in the community was destroyed when he was brought before the local Wollongong Court upon the charge of obtaining money by means of false pretences on 22 July 1861. Although acquitted he was struck off.

In the 1870s Percy Owen practised on his own account. He followed the family tradition of being actively engaged in the public affairs of the district. He was renowned as “practically the father of the volunteer movement on the South Coast; chairman of the Railway League (helping to introduce Illawarra coal); chairman of the Progress Committee, and chairman of the Wollongong Gaslight Company. Needless to say he was to become known as “a man of integrity, honour and uprightness“.
Francis WOODWARD was also known as a man of integrity, but towards the end of his career he became an "awful example to the legal profession". In 1871 he bought into the practice of Richard WARING whose son leaving for Singleton to start a practice there had dissolved the partnership of Waring and Son. He made numerous appearances in court on a variety of matters and also held a large conveyancing practice.

Being solicitor for Wollongong Municipal Council drew him into public affairs and thence into politics. On 7th October 1885 he began campaigning for the 1885 Parliamentary elections. He triumphed and was described as "about the best member that has ever represented the district." By 1891 Woodward abandoned politics and returned to his practice which he described as "greatly neglected". This was to be the theme of his downfall precipitated by the volatile land boom and his unwise speculations, using not only his own money but that of his clients. On 16th August 1895 he was struck off the roll of solicitors — his practice being taken over by the legal firms of the day — one of them being that of Charles Coffey Russell.

Russell was, in many ways, Woodward's antithesis in character. He was described as "a man of many fine parts. As an attorney he was clever and honourable and very honest in his dealings at all times. Either in public or private life his advice was good to follow". He set up practice in Crown Street Wollongong in March 1898, at first building a large conveyancing practice. At the same time he took over the coronership vacated by Woodward. By the turn of the century Russell's firm evolved from property and probate to "a leading industrial and workers compensation practice as suited the predominant activities of the area".

Russell was one of only a relatively small number of solicitors who were attracted to Wollongong between the 1850s — 1920s. Those who practised there could be classified either as "gentlemen" — the Owens and the Russells — or as "gentlemen turned rogues" — Rogers and Woodward. Yet the Honourable activities of those like the Owens and Russells far outweighed the scandals. Not only was the legal profession's standing enhanced by their activities and conduct but Wollongong benefited from their social, charitable and political actions.

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"I would sooner be a Convict than a Solger"
An Illawarra Convict writes Home: Part II

The publication of the first letter from Charles Cartwright in the April Bulletin mentioned that the scribe for the first letter was better than that for the second. Just how much better will appear from the second letter. Indeed, there is no saying that Cartwright wrote even this amusing but very informative effusion. It is a family letter, partly for his wife and children, and partly for his parents, with a stern message