

Ernest Meyer Mitchell

Mitchell was a university medallist at the University of Sydney in Classics and a Wigram Allen Scholar in law. He was admitted to the bar on 26 October 1900 and practised out of Wentworth Chambers. The *Sydney Morning Herald* described him as 'one of the most brilliant members of the NSW Bar'. He was lecturer in law at the University of Sydney from 1907 to 1916.

Mitchell served in the University Scouts before the war, and was a founding member of the Mosman Rifle Club, established in 1915. Mitchell appeared for the prosecution before Judge Advocate V Le Gay Brereton in the high profile case against Colonel Paton concerning allegations of looting in Rabaul in 1915. He was a regular correspondent with his friend and fellow barrister, Edwin Brissenden who enlisted early in 1916.

Mitchell enlisted as a private soldier in the AIF 27 November, 1916, aged 42 (he stated his age as 40), at Sydney Showground and was first appointed to the 6th Reinforcements of the Light Trench Mortar Battery. His enlistment attracted wide publicity, particularly as he was a private soldier at first. His wife was active in the Trench Mortar Comforts Fund which raised money and provided supplies to the unit.

Mitchell embarked on *Osterley* sailing 10 February 1917. He trained in England as a Lewis gunner and joined the 4th Battalion in France in September 1917 then was selected for officer training. Mitchell was commissioned in June, 1918, and joined 1st Machine Gun Battalion and appointed assistant adjutant 1 July 1918. He remained with that unit until the Armistice. The unit saw front line action in such engagements as the September attack on the Hindenburg Line. After the war ended he was attached to AIF Education Scheme until demobilisation. After the war he was able to travel about the continent and visited Brussels, Mons, Charleroi, Paris, Nice, Cannes, Monte Carlo, Monaco, Mentone, and crossed the border into Italy.

Mitchell was Mentioned in Despatches for his work with the Machine Gun Battalion, gazetted 30 November 1919. He was later promoted to Lieutenant Colonel in the Australian Army Legal Division in 1924.

Mitchell's comparative low rank at the end of the conflict did not prevent him from being actively involved in promoting the appointment of much more senior officers to positions in post war Australia. On 18 April 1919 he wrote to Professor John Peden at the University of Sydney mentioning how tedious it was waiting for transport to return to Australia and his desire to get back into normal life. He also recommended Iven Mackay for the University Council as wrote he was 'the coolest, the soundest, and the most scientific of all our brigadier generals, and he has displayed a very remarkable talent for detail and organisation. . . . Australia must be prepared for what may happen, and . . . Iven Mackay, who has developed into a "strong man", would be a very valuable counsellor in such a position as the university could give him. In addition, also, in view of the great distinction he has attained, it does not seem desirable if it can be avoided to allow his special talents to sink into obscurity . . .'

Mitchell resumed his varied and successful career on return to Australia. He specialised in Constitutional Law and wrote many important opinions for a variety of clients including the state and Commonwealth governments, trade unions and employer associations. He was appointed Kings Council 23 April 1925. Mitchell was a member, NSW Legislative Council (United Australia Party) 1933–1943 and reportedly declined judicial appointments. He was also a member of the Senate of the University of Sydney 1925 - 1934

Further Information: *Australian Dictionary of Biography*.