

THE ROLE OF THE MILITARY IN INDUSTRIAL DISPUTES:

AUSTRALIA AND NEW ZEALAND, 1879-1921

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INTRODUCTION.

This work details a relatively unexplored area of Australia's and New Zealand's military and labour history: Military Aid to the Civil Power (MACP) during industrial disputes from 1879 - 1920. It was a duty which was extremely contentious and likely to result in confrontation and protest from those workers affected by such an operation. MACP is defined by Coulthard-Clark as the 'involvement of the military, at government direction, in difficult domestic situations beyond the capacity of civil authority to deal with by normal means'.⁽¹⁾ While this definition gives MACP a degree of legitimacy, it is rather different for those workers on the receiving end of armed intervention and often had a major impact on the local community. For example, during the 1888 Newcastle strike the miners were coerced in an area of vital interest: their pay and conditions. Wages determined the standard of living which workers and their families enjoyed, hence the strong local resistance to the military presence in the townships. Under the New South Wales Trade Union Act of 1881, it was not illegal for the miners to strike. The employment of armed troops was viewed by Labour as a coercive act, with the State siding with Capital by deploying its repressive arm against workers with genuine grievances, in an effort to deny the unionists their legitimate rights. One of the major features of the State during the nineteenth century was its laissez-faire character. As well as being non-interventionist, it presented itself as both open and impartial by protecting individual rights, including

(1). Chris Coulthard-Clark, 'The Military As Strikebreakers', *Pacific Defence Reporter*, May, 1981, 72.

the right of employers to recruit substitute labour during an industrial dispute.(2)

According to Mann,(3) under the capitalist system the means of production belong formally to a ruling class and not to the State. Labour is free and separated from the means of production, allowing workers to sell their labour power to capitalists and to withdraw it as they see fit. Nevertheless, the freedom to strike was only a limited right because wage workers frequently had no other means of support, apart from any limited financial assistance which was forthcoming from other affiliated unions and branches which levied its members. Marx(4) argues that the value of labouring power is determined by the amount of labour that is required to maintain or to reproduce it. Those who sell their labouring power must struggle in order to maintain and to improve the conditions under which they work. Such struggles usually take the form of collective industrial action, bringing workers into conflict with both Capital(5) and other sellers of labour, known as strikebreakers. Frequently during industrial disputes in the late nineteenth century, strike pickets succeeded in preventing the recruitment of non-union

(2). Richard Price, 'Britain', in Marcel Van Der Linden & Jurgen Rojahn, (eds.), **The Formation of Labour Movements 1870-1914**. Leiden, The Netherlands, 1990, 8.

(3). Michael Mann, 'Capitalism and Militarism', in Martin Shaw (ed.), **War, State & Society**. London and Basingstoke, 1984, 37-38.

(4). Karl Marx, **Value, Price and Profit**. London, 1899, 59.

(5). John Urry, **The Anatomy of Capitalist Societies**. London and Basingstoke, 1981, 42-3.

labour. This brought the workers into conflict with the State, as the ruling class sought to obtain whatever assistance it could in order to defend the capitalist system. Collective worker action included a variety of behaviours, such as striking, picketing, parading and petitioning. These actions were often viewed differently by the authorities. For example, a picket might be referred to as a 'disturbance' or a 'riot', which prejudged the aims of the participants.(6) As a result, the State was prepared to use military force in order to crush a possible challenge to its authority.

The main function of the colonial military forces was to defend the State against outside attack. Their other major responsibility was domestic security, which meant providing MACP as required. In the case of strikes, this duty frequently involved assisting the police in the maintenance of public order, guarding property, escorting and protecting non-union labourers who were referred to by unionists as 'blacklegs' or 'scabs', and ensuring the suppression of internal unrest should this occur. These events helped to shape working class attitudes towards the military. For example, following the despatch of soldiers to the Newcastle coalfields in 1888, the Bulletin (Sydney) called for each colony to introduce legislation to prevent any government, 'in the pay or in the debt of plutocracy', from using the defence forces 'to protect the interests of selfish Capital against Labour demanding only justice'.(7)

(6). Charles Tilly, 'Introduction', in Louise A. Tilly and Charles Tilly (eds.), **Class Conflict and Collective Action**. London and Beverly Hills, 1981, 17.

(7). **The Bulletin**, 13 July 1889.

Since the raising of the first volunteer corps during the 1850's and 1860's, there had been a continuing debate as to which system of military defence should be adopted by the various colonies and what their role would be. In 1870 British troops were withdrawn from Australasia and colonial defence duties became the responsibility of local forces. By the mid-1870's military advisers were recommending the replacement of volunteers, who were cheap but poorly trained and inefficient, with a part-time, paid militia.(8) One reason for this was that volunteer units were often comprised primarily of members of the working class, who found the service a heavy burden in terms of time and money. For example, in Victoria miners served in the Sandhurst company, labourers in Richmond, and railwaymen and workshop employees in the Metropolitan Artillery.(9) Concerns were occasionally expressed in military circles as to whether such forces could be relied upon to 'defend the property of people who will not defend it for themselves'.(10) These doubts stemmed from the fact that the volunteer forces were not representative of the community as a whole, especially as few members of the professional and wealthy classes were willing to serve. This posed problems for the State which

(8). Peter Stanley, ' "Soldiers and Fellow-Countrymen" in colonial Australia', in M. McKernan and M. Browne, (eds.), **Australia. Two Centuries of War and Peace**. Canberra, 1988, 85.

(9). Report of the Royal Commission on Volunteer Forces, Minutes of Evidence, Questions 39-40, **Vic. Parliamentary Papers, (VPP)**, 1875-6, Vol. 3. For composition of the Queensland Defence Force, see D.H. Johnson, **Volunteers At Heart**. St. Lucia, 1975, Appendix B.

(10). *Ibid.*, Question 1525.

relied on the military to suppress major internal disorder should it occur. The question of the reliability of the volunteers was not an issue for Sir William Jervois, an imperial officer who prepared a report on Victoria's defences in 1877. He argued that their importance to the colony was 'not solely to be measured by requirements to oppose foreign aggression, and that there are objects for which it may be desirable to maintain such forces, irrespective of the necessity for preparation to meet external attack'.⁽¹¹⁾ Presumably these 'objects' included MACP duty whenever this became necessary. When Jervois's report was compiled, Victoria's forces of 3,826 members were largely comprised of volunteer infantry and artillery, while the Permanent Artillery only numbered 145.⁽¹²⁾

During the 1880's most colonies introduced a partially-paid system with compulsory training. The colonial military organisation generally consisted of a permanent force, militia, volunteers and a reserve force. Arms were purchased from Britain, although Grey⁽¹³⁾ notes that there was little uniformity between the colonies. A number of infantry companies were equipped with out-dated Martini-Henry rifles, a single-shot weapon, while the British army received the magazine fed Lee-Metford and Lee-Enfield rifles. The need

(11). Preliminary Report by Sir William Jervois on Defences, 20 July 1877, 17, VPP, 46/1877-78, Vol. 2.

(12). *Ibid.*, 15.

(13). Jeffrey Grey, *A Military History of Australia*. Cambridge and Melbourne, 1990, 44.

for maintaining a reliable and efficient permanent force was recognised as being essential for defence purposes,(14) largely supported by the militia. Permanent forces were originally formed in the 1870's following the withdrawal of British troops. In 1871 New South Wales became the first colony to establish a small permanent paid defence force, with the raising of an artillery battery and two infantry companies. The colony currently had 9 batteries of artillery volunteers and 28 Volunteer Rifle companies.(15) The main duties of the Permanent Artillery in peacetime were the care and management of stores, guns and batteries, and to provide the Volunteer Artillery with training and instruction.(16) Victoria also raised a small permanent force, which supplied the colony's police and prison service with new recruits.(17)

By 1881, the strength of the New South Wales Permanent Artillery had increased to 3 batteries comprising 320 men. The force was subject to the New South Wales Military and Naval Forces Regulation Act of 1871 and the following British military regulations: the Army Discipline and Regulation Act, the Articles of War, and the Queen's Regulations. Ex-British officers were appointed to the Artillery and also promoted by the Governor in Council. Recruits enlisted for a five-year term, with the option of a further engagement of either two or five years. The lowest rate of pay was 2s.6d. for

(14). Military Committee's Report to Royal Commission, 14 May 1881, N.S.W. Defence Papers, Vol. 4/7054 A, 490.

(15). Grey, 44.

(16). Military Committee's Report to Royal Commission, 489-90.

(17). Grey, 44.

gunners, who also received free food rations and barrack accommodation.(18)

While the permanent units were small and 'the least numerous of all colonial corps',(19) they were necessary for providing MACP during industrial disputes, and to 'back up the Police Force in the event of civil disturbances'.(20) For example, the New South Wales Permanent Artillery was successful in preventing any likelihood of major violence during strikes at Newcastle in 1879 and 1888, proving the reliability of local forces for this duty. In 1880 the Victoria government proposed the disbandment of the Permanent Artillery in order to save money. The colony's Governor, Lord Normanby, described the proposed retrenchment as 'most objectionable', since the permanent force had been maintained for 10 years and consisted of 'a very fine body of men...and they constitute the only force in this Colony which could be used in cases of emergency in support of the civil power'.(21) While the volunteer forces in Victoria were deemed to be inadequate to cope with an outbreak of civil disorder, they had proved reliable elsewhere. For example, the Cliniquy disturbances in Hobart, a sectarian conflict, 'were checked by the calling out of the unpaid Volunteer Force'.(22) In this instance the Tasmanian Volunteers were deployed under the Mutiny Act, ready to quell a

(18). Military Committee's Report to Royal Commission, 489-90.

(19). Stanley, in McKernan and Browne (eds.), 85.

(20). Note by Scratchley regarding the Military and Naval Defence of the Australian Colonies, 7-8, enclosed in Normanby to Colonial Office, 21 Sept. 1882, C.O. 309/124, PRO, Kew.

(21). Normanby to Colonial Secretary, 9 Dec. 1880, C.O. 309/121, PRO, Kew.

(22). Note by Scratchley, 8.

rowdy public meeting at the Town Hall should it become necessary to do so. The affair ended peacefully, however, and no intervention was required.(23)

The duty of providing MACP strengthened the close relationship which existed in the colonies between the defence forces and the State's civil arm, the police force. The army was formally regarded as a recruiting ground for service in the constabulary. For example, in Victoria during the 1870's all recruits for the police force came from the Permanent Artillery.(24) A report on the Victoria Volunteer Forces in 1875 recommended that the police be trained in rifle shooting and company drill. In an emergency the civil force could be deployed to assist the military, while special constables would temporarily replace the police during their absence from normal duties.(25) In 1881, a Committee comprising the military members of a New South Wales Royal Commission,(26) identified the need for a force of cavalry to be raised in order to strengthen the colony's defences. The Inspector General of Police also offered the Commandant an additional 300 Mounted Police to assist the

(23). J. Hooper, 'Hubbub in Hobart: An 1879 instance of Volunteers aiding the Civil Power', *Sabretache*, Vol. 18, July, 1977, 169-71.

(24). Normanby to Col. Secretary, 9 Dec. 1880.

(25). Report of the Royal Commission on Volunteer Forces, XV, VPP, 1875-6, Vol. 3.

(26). The Committee was composed of Col. Peter Scratchley, Royal Engineers; Col. Anderson, Commandant, Victoria; Col. Downes, Commandant, South Australia; Col. Richardson, Commandant, New South Wales; and Col. Roberts, Commander, New South Wales Artillery Forces. Military Committee's Report to Royal Commission, 14 May 1881, 487.

military in the event of an outbreak of war.(27) Presumably this force could also be utilised to assist any cavalry ordered to provide MACP during an industrial dispute. The colonial police forces, with the exception of Tasmania, were centralised and modelled on the Royal Irish Constabulary. Each force had a mounted branch and foot police. For example, in 1888 the South Australian force included 176 mounted police and 216 foot police.(28)

In New Zealand, the constabulary was split into the New Zealand Police Force and the Permanent Militia in 1886.(29) Hill notes that colonial society 'was increasingly subdued by a combination of socio-economic development and hegemonic means, and the agents of coercion altered their methods accordingly'.(30) During the 1880's the police were gradually demilitarised, with weaponry becoming less obtrusive and a marked decline in the importance of mounted policing.(31) However, in the course of policing labour disputes the colonial authorities used coercion as an important means of control.(32)

(27). *Ibid.*, 495.

(28). Graeme Davison; J.W. McCarty; Ailsa McLeary, (eds.), **Australians 1888**. Broadway, N.S.W., 1987, 367.

(29). Richard S. Hill, 'The policing of colonial New Zealand: from informal to formal control, 1840-1907', in David M. Anderson and David Killingray (eds.), **Policing the Empire**. Manchester and New York, 1991, 65.

(30). Richard S. Hill, **The Colonial Frontier Tamed**. Wellington, 1989, 354.

(31). *Ibid.*, 355.

(32). David M. Anderson and David Killingray, 'Consent, coercion and colonial control: policing the empire, 1830-1940', in Anderson and Killingray (eds.), 11.

For example, on 31 August 1890 the Permanent Militia assisted the police guarding Wellington's wharves during the maritime dispute. In September, militiamen replaced the police on routine duties, enabling them to concentrate on policing the strike.(33) In 1891, detachments from the Queensland Defence Force accompanied the police to strike camps to ensure the arrest of unionists with warrants outstanding. Although the Permanent Artillery was not required for the 1892 Broken Hill dispute, heavily armed police used military-styled tactics in order to reopen the mines and to arrest the strike committee. These examples show that the police and the military sometimes had similar functions, and in practice there was often very little to distinguish between 'coercion' and 'order maintenance'.

The defence of capitalism by state forces raised the issue for Labour of what type of army was best suited for the colonies and what its duties should involve. In 1880, the Bulletin in its early conservative form, advocated the maintenance of a permanent force to defend the colonies against invasion, adding that with regard to 'considerations of an internal and purely domestic character, no Government should be without one'.(34) The following year, commenting on a report on defences by Sir James Martin, the newspaper argued that a permanently embodied force was required 'for the purpose of giving

(33). John Crawford, 'Overt and Covert Military Involvement in the 1890 Maritime Strike and 1913 Waterfront Strike in New Zealand', **Labour History**, No. 60, May, 1991, 68.

(34). The Bulletin, 20 Nov. 1880.

back-bone to the Executive Government...to check any tendency to internal disorder - prevention being better than cure'.(35) By 1889, following the call out of the military to Newcastle, the Bulletin was calling for each colony to pass legislation to prevent Australian forces from being 'employed against Australian interests'. Therefore, the only reason for having an army would be to protect the country against foreign invasion, not to police and break strikes. The constabulary and the 'law-abiding spirit of the citizens' were regarded as 'sufficient for the purposes of keeping internal order'. The military forces would from necessity be comprised of a citizens force, 'whose swords shall have...lead points for their countrymen'. The newspaper criticised Parkes for ordering machine guns to Newcastle, 'manned by men who were commanded to be prepared to shoot down the miners who assisted in supporting them - the military - in semi-idleness'.(36)

By 1900, working-class attitudes towards the military had hardened considerably following the strikes and turmoil of the 1890's, although the duty of providing MACP did not alienate the majority of workers from the defence forces. The creation of a paid militia resulted in 'a greater congruence between the military and society than ever before'.(37) Muster rolls in the late 1890's indicate a more representative mix of colonial

(35). *Ibid.*, 17 Dec. 1881.

(36). *Ibid.*, 13 July 1889. The Bulletin also identified the police force as being part of the machinery which could be used against popular movements, making them servants of the wealthy and privileged. e.g. the mounted police were described as Governor Carrington's private body-guard.

(37). Stanley, in McKernan and Browne (eds.), 88.

society than was present during the period of the volunteers. For example, in Victoria just over half of the companies in the Collingwood district were composed of semi- and unskilled workers.(38)

In the Australian colonies the defence forces were called out to provide MACP up to a dozen times between 1860 and 1900,(39) mostly by nervous governments fearful of violence and anxious to exert their political authority. In the course of policing major strikes from 1879 onwards, the soldiers never fired at the crowd and no strikers were killed. This record contrasts with MACP operations in other countries, including a number in Europe, the United States, Canada and Britain, where striking workers were frequently killed or injured in clashes with the military and the police. Liebknecht(40) argues that in all capitalist countries during this period, the army was prepared to crush strikes whenever the police lacked the resources to do so. For example, in Italy during a five-year period from 27 June 1901 to 24 May 1906, a total of 23 clashes occurred between striking workers and the military, leaving 78 dead and 199 wounded. A number of skirmishes between troops and workers in Belgium from 1886 until 1902 resulted in 80 deaths. During the 1902 general strike the Belgian army proved to be unreliable for MACP duty, with many soldiers displaying their opposition by singing the 'Marseillaise' and hissing at their officers. This resulted in the gendarmerie and civil guard replacing the standing army for future strike duty. Similarly in France, there were frequent shootings and 'punitive expeditions' against

(38). Ibid.

(39). Stanley, in McKernan and Browne, (eds.), 88.

(40). Karl Liebknecht, *Militarism and Anti Militarism*. Cambridge, 1973, 54.

striking workers, including the bloody events perpetrated by the 145th Regiment at Fourmies on 1 May 1891, which left 10 people dead.(41) Later, during strikes at Dunkirk, Le Creusot and Montceau-les-Mines, the question of the army's reliability arose again as many soldiers reportedly 'declared their solidarity with the strikers'.(42)

In the United States, Lieutenant William Wallace of the Seventh Infantry wrote an essay in 1895 entitled 'The Army and the Civil Power', in which he argued that the major cause of civil disorder in the late nineteenth century was 'the breakdown of relations between labor and capital'.(43) Wallace submitted that the Army usually had no role in any argument between worker and employer, except when either side broke the law. While conceding that Labour had the right to strike, (in a nation which emphasised the rights of the individual and many refused to accept collective action as being a legitimate tactic), legally it could not prevent others from working or a capitalist from using his property. When Labour stepped outside the law, according to Wallace, this often resulted in mob violence and disorder. Therefore, military intervention was necessary to enforce the law and to maintain order, which placed the Army against groups of lawbreakers, rather than on the side of Capital. This attitude was shared by the majority of officers in the United States military, who did not perceive the army as a strike-breaking force. In 1877 and 1894 federal troops were called out to provide MACP during two major

(41). *Ibid.*, 56-60.

(42). *Ibid.*, 60.

(43). Jerry M. Cooper, 'The Army as Strikebreaker - The Railroad Strikes of 1877 and 1894', *Labor History*, Vol. 18, No. 2, Spring, 1977, 179.

railroad strikes. Under the United States Constitution, the President was authorised to call out federal forces for the purpose of domestic law enforcement. Military intervention in both disputes not only succeeded in restoring law and order but prevented Labour from achieving its goals. On both occasions the United States Army performed a number of strikebreaking actions against organised Labour, including the protection of non-union workers, guarding private property, breaking up union meetings and demonstrations, smashing picket lines and assisting in the arrest of both strikers and strike leaders.(44)

In Canada, the absence of an adequate police force outside the large metropolitan areas and the small size of the permanent force meant that the militia was frequently called out to provide MACP during the late nineteenth and early twentieth centuries.(45) Between 1867 and 1914, military assistance was requested on 48 separate occasions, 33 of these involving labour disputes.(46) During this period there was only one fatal civilian casualty, a Protestant who was killed by Colonel T.B. Strange's troops in Quebec in

(44). *Ibid.*, 179-82; Lieutenant-Colonel G. Davidson-Smith, 'The Military in Aid of the Civil Power: Limits in a Democratic Society', *Canadian Defence Quarterly*, Vol. 13, No. 1, 1984, 27.

(45). Desmond Morton, *Ministers and Generals*. Toronto, 1970, 15.

(46). Desmond Morton, 'Aid to the Civil Power: The Canadian Militia in Support of Social Order, 1867-1914', in Michiel Horn and Ronald Sabourin, (eds.), *Studies in Canadian Social History*. Toronto, 1974, 417.

1878.(47) Under Section 27 of the Militia Act of 1868, military aid could be requisitioned by the local 'Mayor, Warden, or other Head of the Municipality ...or by any two Magistrates'.(48) The Regulations and Orders for the Militia provided detailed instructions for troops required to confront a crowd. These directed that militia providing MACP must be issued with ammunition prior to going on duty. The officer in command, who was placed under the orders of a magistrate, was required to effectively warn the crowd that if ordered to fire, the troops would shoot to kill. The Regulations stated that 'to fire over the heads of a crowd...would have the effect of favouring the most daring and the guilty, and might have the effect of sacrificing...the innocent'.(49)

The Canadian Grand Trunk Railway strike of 1876-7 illustrates many of the difficulties associated with providing MACP during this period. On 31 December 1876 railway employees at Belleville struck against a proposed pay cut in wages, bringing traffic on the line to a standstill. The railway's general manager demanded intervention by the federal government but the Prime Minister, Alexander Mackenzie, insisted that it had no legal authority to become involved. This refusal resulted in the Mayor of Belleville calling out the local militia to remove the strikers from railway property. A small number of volunteers were assembled to undertake this duty but after finding the strikers were behaving in a peaceful manner, the soldiers refused to act

(47). Desmond Morton, 'Bayonets in the Streets: The Canadian Experience of Aid of the Civil Power 1867-1900', *Canadian Defence Quarterly*, Vol. 20, No. 5, April, 1991, 31.

(48). Morton, in Horn and Sabourin, (eds.), 418.

(49). Ibid.

against them. The Mayor was forced to telegraph a Toronto batallion, the 2nd Queen's Own Rifles, for assistance. Over 200 troops were immediately despatched by train and armed with fixed bayonets removed the strikers from the railway yard. Following this intervention, the strike quickly spread along the Grand Trunk Railway from Montreal to Sarnia and three days later the company was forced to back down.(50)

The question of the reliability of volunteer forces became an important issue during the depression of the 1890's as Canada's closest neighbour, the United States, experienced some of the bitterest labour disputes of the nineteenth century. Occasionally, there were reports of national guardsmen failing to perform their duties against strikers. Major-General I.J.C. Herbert, who commanded the Canadian militia between 1890 and 1895, requested that the government consider, 'the degree to which the Militia of Canada is affected by the presence in the ranks of men belonging to labour organizations and as to whether the force which should be a safeguard against internal trouble, may not, at some time...become a danger to the state'.(51) There was also concern that city armouries were located in working-class districts and members of the militia had ready access to firearms. The General's solution was to strengthen the militia cavalry, which was 'recruited from the best class of the rural population', and to increase the size of the permanent

(50). *Ibid.*, 420.

(51). *Ibid.*, 427.

force.(52) One difficulty in relying on the Canadian Militia to provide MACP was that the force only received 16 days training a year. The Militia Act of 1904 stipulated that 'in aid of the civil power the active militia will only be used in the suppression of riots when the permanent force is not available, or not in sufficient numbers to be utilized'.(53) The permanent force numbered 1,079 in 1904 but only stood at 3,121 in 1912. In comparison, the active militia totalled 45,860 by 1912 and the duty of providing MACP was largely performed by this force until after World War One.(54)

During the late Victorian period the task of providing 'effective support of the civil power' was identified as the major duty of the British army within the United Kingdom.(55) This was an unpopular duty(56) for a force

(52). *Ibid.* In Australia and New Zealand, similar fears were expressed about the reliability of volunteer forces and the safe storage of weapons and ammunition on numerous occasions during labour disputes, including the 1888 miners' strike at Newcastle and the 1890 maritime dispute.

(53). Captain L.W. Bentley, 'Aid of the Civil Power: Social and Political Aspects 1904-1924', *Canadian Defence Quarterly*, Vol. 8, No. 1, 1978, 45.

(54). *Ibid.*

(55). This duty was outlined in the Stanhope memorandum of 8 Dec. 1888. Edward M. Spiers, *The Late Victorian Army, 1868-1902*. Manchester, 1992, 209.

(56). Sir Redvers Buller, the Adjutant-General, stated that MACP duty was 'the most disagreeable duty a soldier can be called upon to perform, and...no soldier wants to go out in support of the civil power'. Buller, Q. 5357, Evidence appended to the Featherstone Report, *Parliamentary Papers*, 1893-4, C.7234, Vol. XV11, 523.

which was frequently involved in colonial warfare during the last two decades of the nineteenth century.(57) The responsibility of the military to assist in maintaining law and order was a traditional commitment,(58) even though the expansion of Britain's police force meant that most incidents were now dealt with by the state's civil arm. Between 1869 and 1910, troops were requested to provide MACP on 24 separate occasions,(59) often for disturbances resulting from labour disputes. The army's task was simplified by major improvements in communications which resulted in speedier methods of travel. The growth of the country's railway network meant that an armed detachment could be rapidly deployed when required within a short period of time.(60) Similarly, in Australia the expansion of the railways meant that special trains were usually made available to transport rapidly troops involved in MACP operations.

Military call outs in Britain to police industrial disputes include the 1878 cotton weavers' strike in Lancashire and the 1879 Liverpool dock strike, both of which involved intervention by detachments from the 5th Dragoon

(57). See for example, Spiers, 59.

(58). See for example, Robert Rizzi, 'The British Army and Riot Control in Early Nineteenth Century England', *Army Quarterly and Defence Journal*, Vol. 109, No. 1, January, 1979, 74-85; Major Oskar Teichman, 'The Yeomanry as an Aid to Civil Power, 1795-1867', *Journal of the Society for Army Historical Research*, Vol. X1X, No. 75, Autumn, 1940, 127-143.

(59). Edward M. Spiers, *The Army and Society 1815-1914*. London, 1980, 219.

(60). Anthony Babington, *Military Intervention in Britain*. London and New York, 1990, 115-17.

Guards.(61) In 1890 a dock strike at Southampton was policed by up to 500 military, while naval gunboats patrolled the harbour to prevent strikers from interfering with any vessels berthed in port.(62) Three years later, a lockout at the Ackton Hall colliery near Featherstone resulted in the shooting of two miners by members of the South Staffordshire Regiment, the only occasion between 1893 and 1909 that British soldiers fired on a crowd.(63) Other MACP operations include the call out of the 12th Lancers to Motherwell from Edinburgh during the summer of 1894, in order to quell rioting during a strike by miners on the Lanarkshire coalfields,(64) and the South Wales Colliery strike of 1910-11, during which a policy of despatching only the constabulary to police disturbed areas was rejected in favour of direct military intervention.(65) On numerous other occasions, troops were placed on standby ready to intervene if required, notably during the London dock strike of 1889.

The disturbance at Ackton Hall Colliery near Featherstone in West Yorkshire is especially significant, since this was the last serious riot that military forces were required to suppress during the late nineteenth century. In July 1893, the largest industrial dispute Britain had ever experienced began

(61). Spiers, *The Late Victorian Army, 1868-1902*, 212.

(62). *Age and Brisbane Courier*, 12 Sept. 1890.

(63). Roger Geary, *Policing Industrial Disputes: 1893 to 1985*. Cambridge, 1985, 6.

(64). James Hamilton, *Jimmie's Life in Coalburn, Volume 1, 1894-1903*. Hamilton, Scotland, 1978, 5. Unpublished.

(65). Geary, 25.

after 300,000 miners in the Federated District stopped work.(66) This resulted in the closure of 253 pits, leaving 80,000 workers locked out.(67) At the beginning of September, civil disorder and rioting broke out on many parts of the coalfield, resulting in the call out of infantry and cavalry to reinforce the Metropolitan police drafted into the county.(68) On 5 September the police were required for duty at the Doncaster races and the Chief Constable in the West Riding withdrew 259 constables, a quarter of his entire force, for this purpose. A small detachment from the 1st Battalion, South Staffordshire Regiment, was called out to Ackton Hall pit on 7 September 1893, because of collective action by miners protesting against the loading of slack coal. Finding his force outnumbered and outflanked as the colliery buildings burnt down around him, Captain Barker, the commanding officer, ordered his 28 soldiers to fire two volleys after the reading of the Riot Act had failed to persuade a 2,000-strong crowd to disperse. Two miners were killed and about a dozen were injured in the incident.(69)

A Committee of Inquiry was subsequently appointed by Asquith, the Home Secretary, to investigate the circumstances of the Featherstone shootings. The Committee's report criticised the concentration of police at the Doncaster

(66). Robert G. Neville, 'The Yorkshire Miners and the 1893 Lockout: The Featherstone "Massacre"', *International Review of Social History*, Vol. XX1, 1976, 337-38.

(67). Babington, 122.

(68). Neville, 339.

(69). Report of the Select Committee on the Featherstone Disturbances, *Parl. Papers*, 1893-4, C.7234, Vol. XV11, 381-98; Babington, 122-30.

rares resulting in the MACP duty, along with the absence of a magistrate to meet the troops at the station. Regarding the use of firearms, the taking of life could only be justified by the necessity to protect persons or property against violent crime, or to disperse a crowd which was deemed to be dangerous if allowed to remain assembled. Since the miners at Ackton Hall had used violence and attempted to damage the colliery, the Inquiry found that the troops had acted legally in using their weapons to disperse the crowd.(70)

The duty of providing MACP was defined under the Queen's Regulations, to which the colonial forces, including the New South Wales Permanent Force, were subject. The military could be ordered to assist in the maintenance of public order upon receipt of a written order from a magistrate. The officer commanding the troops had to ensure that they remained in regular military formation and did not become scattered or detached, otherwise the soldiers risked being placed in a position where they might be unable to defend themselves. A magistrate would accompany the force and the officer would remain close by to receive instructions. The military officer would issue all commands to the troops, including the order to shoot but only after being directed to act by the magistrate. A decision on the type of force to be deployed depended on the nature of the duty to be performed. For example, at Ackton Hall the enclosure around the colliery was unsuitable for cavalry operations. Presumably, similar factors would have been considered when despatching the Permanent Artillery to Newcastle during the miners' strikes. A force of cavalry was most useful when an open space or a street was available for them to charge down, or to keep a crowd moving. It was impossible to

(70). Select Committee's Report on the Featherstone Disturbances, 395-96.

compare the mercifulness of deploying cavalry armed with sabres, or infantry equipped with rifles. Although the infantry was considered to be the more humane force, in a street fight it could also inflict a higher death toll.(71)

The military faced a number of legal issues in providing MACP. Under British common law, a soldier establishing civil order was merely a citizen bearing arms and had no legal excuse for killing or injuring anybody without necessity. Improvements in weapons and ammunition meant that there was always the danger of shooting innocent bystanders. The importance of a magistrate to accompany the troops was recognised, since the military might lack local knowledge or be unaware of special circumstances pertaining to the case. Nevertheless, the absence of a magistrate did not alter the duty of a soldier to act against rioters, should it become necessary to do so. If forced to open fire, the soldier's duty was to do so with all reasonable caution, in order to ensure that no further injuries were inflicted than was absolutely necessary. On the other hand, any order issued by the magistrate which did not justify the use of weapons would not absolve the soldier from liability to prosecution under the law. A guilty party shot under these conditions died by justifiable homicide, while an innocent bystander died by accidental death.(72)

(71). Evidence of Buller, *ibid.*, 521-23.

(72). Select Committee's Report, *ibid.*, 396-97; Iain Thorburn Cameron, 'Military Aid to the Civil Power in the United Kingdom', *Masters of Law Thesis*, Dalhousie University, May, 1983, 19, 28-9. For further discussion, see for example Christopher J. Whelan, 'Military Intervention in Democratic Societies: The Role of Law', in Peter J. Rowe and Christopher J. Whelan, (eds.), *Military Intervention in Democratic Societies*. London, 1985, 264-91.

Following the Featherstone inquiry the Home Secretary appointed an inter-departmental committee to define the 'responsibilities of the civil and military authorities in cases of riot'.(73) The committee agreed that the military should only be called out to provide MACP as a last resort, when the resources of the civil power were believed to be insufficient to cope with the situation. They recommended that the primary responsibility for requesting military assistance should be transferred from the Magistrate to the Chief Constable. A magistrate would be present to read the Riot Act if necessary, and if the case demanded military intervention, the commanding officer would be ordered 'to take action'. The military officer alone had the authority to decide what form of action this action should take. These proposals were formally adopted in 1895 by being incorporated into the Queen's Regulations.(74)

In Britain the image of the military forces held by the working classes was not enhanced by incidents such as the Featherstone shootings. While there was suspicion regarding the role of the regular army, there also appeared to be doubts about the loyalty of the volunteers. In 1890 the Bulletin(75) claimed that the oligarchy which ruled that country was anxious that the British volunteers did not become too efficient and thereby present a potential threat. Accordingly, the authorities were withholding training, equipment and weapons from the force. The volunteers, according to the newspaper, were receiving similar treatment to the Sepoy troops in India

(73). Jane Morgan, *Conflict and Order*. Oxford, 1987, 37.

(74). Babington, 131-32.

(75). *The Bulletin*, 22 March 1890.

following the mutiny. The Sepoys were not being trained in artillery and were managed in such a way as to ensure that there was no possibility of any moves against British troops. While Britain's volunteers were permitted to form artillery corps, they were denied the equipment for any type of offensive in that arm, with 'the preponderance, both in quantity and quality...carefully maintained on the side of the regulars'. The majority of volunteers belonged to the infantry and, according to the Bulletin, were deliberately equipped with outdated weapons. Although the old Snider rifle was recently replaced by the Martini-Henry, the regulars had received a new magazine-rifle. It appeared that the existence of the force was tolerated for defence purposes since Britain could not be defended by the regular force alone.(76)

There was also opposition in Britain to conscription, one reason being that people trained in the use of weapons could not be controlled by violence so readily as was currently the case. This view was expressed in an article from Colburn's United Service Magazine and reprinted in the Bulletin.(77) The military writer argued that currently few people were familiar with firearms and that the crowd, however large, could be 'immediately overawed by the mere presence of troops'. An army raised by conscription posed a threat to authority, according to the article, because during recent labour disputes the vast majority of strikers would also have received military training. Therefore, any large gathering 'would have contained serious elements of disorder and danger had the men not been peaceably disposed'. There was also the danger that such a force might fraternise with the crowd. The writer also

(76). Ibid.

(77). Ibid., 26 April 1890.

commented on what was expected of a standing army. The British army consisted of 'a section of the population professionally separated from the bulk, totally unsympathetic with the discontented and agitating part of the nation', and therefore was 'not liable to be affected by the ideas actuating the mass'. The Bulletin concluded that the army was 'maintained to repress, by massacre if necessary, any endeavour by the people of Great Britain to carry into effect "the ideas actuating the mass"' if such ideas should threaten the privileges of the ruling and exploiting class'.(78) Later in 1908, there was concern expressed in the House of Commons regarding the reliability of territorial soldiers, because under the Territorial Army Act of 1907, trade unionists who belonged to this force could be deployed during labour disputes.(79)

There are thus a number of issues associated with providing MACP during strikes. This study will explore those which relate to the provision of military aid to the civil power during disputes in Australia and New Zealand between 1879 and 1921. These issues include the justification for such operations; the precise purpose military intervention was intended to achieve in each case; legal mechanisms; the involvement of the military in certain disputes and not others; the reliability of the defence forces in enforcing the will of the State; the military's lack of training and dislike for MACP duties; the role of the State; the relationship between the State and Capital; and opposition to state intervention by Labour and its political

(78). Ibid.

(79). Morgan, 39-40.

representatives. As a result of this analysis the following hypotheses will be advanced:

1. Military intervention was frequently an over-reaction to events by nervous governments anxious to assert their political authority, as the State responded to requests for assistance from Capital. Troops were often called out because the authorities believed that a serious breakdown of law and order threatened the rights of the individual to work or to employ non-union labour.
2. The provision of MACP meant that the State was siding with and acting as a vehicle for Capital, and such action usually resulted in the defeat of Labour.
3. The representatives of Capital could not always employ blackleg labour in order to break a strike without the protection of the military and the police forces.
4. MACP operations were frequently extensive campaigns which affected large sections of the community, impacting on popular attitudes towards both the Military and the State.
5. The presence of armed troops resulted in the coercion and intimidation of labour, thereby denying the strikers their rights as trade unionists and limiting their options as to the range of collective actions they could employ.
6. The main duty of the military forces was to reinforce the civil arm, which lacked the strength to police the strikes alone without military assistance.

My study focuses on labour disputes involving miners, shearers and maritime workers. I have chosen these groups because they all belong to the new large unions of semi- and unskilled workers which were formed during this period. Pastoralism, mining and transport were critical sectors of the

colonial economy and the militancy of these unions was of serious concern to both Capital and the State. Chapter One examines the use of troops to police coal -mining strikes in the Newcastle and Illawarra districts of New South Wales in 1879, 1888 and 1890. I will argue that these call outs were extensive campaigns which involved a large percentage of the permanent force. In Chapter Two, I discuss MACP during the Great Maritime Strike of 1890. Chapter Three focuses on the extensive use of the military by the Queensland government during the 1891 shearers' strike. This response is compared with the measures taken during the 1892 Broken Hill dispute and the shearers' strike in 1894. I find that after 1891 governments were more reluctant to call out the military to intervene in industrial disputes. Chapter Four examines the changes which occurred in New Zealand after 1900, in particular the 1913 Waterfront strike in Wellington, and the precautions which resulted from fears of Bolshevism and industrial chaos following World War One.

CHAPTER ONE.

Coal-Mining Strikes in New South Wales.

Introduction.

In 1879, 1888 and 1890 military detachments from the Permanent Artillery were called out in aid of the civil power against striking miners on the coalfields of northern New South Wales.(1) The disputes occurred at Newcastle in the Hunter River district and in each case the military were despatched as reinforcements for the police. During the 1890 Maritime dispute, the Permanent Force also served on the southern coalfields of the Illawarra, where the miners were the last to return to work following settlement of the strike. The Artillery's principal role was to protect blacklegs(2) who were employed by the collieries to either replace the striking miners in the pits, or to load small coal which lay on the surface.(3) For their part, the miners were prepared to picket and to 'back up moral suasion with physical coercion',(4) in order to achieve worker solidarity and ensure that the strikes were effective. While the intimidation of and assaults on blacklegs was a common form of lawbreaking,(5) the miners seldom destroyed company property.

(1). Coulthard-Clark, 'The Military as Strikebreakers', *Pacific Defence Reporter*, May, 1981, 72.

(2). See for example *Illawarra Mercury*, (I.M.), 16 Oct. 1890.

(3). See for example, *ibid.*, 11 Oct. 1890.

(4). R.B. Walker, 'Violence in Industrial Conflicts in New South Wales in the Late Nineteenth Century', *Historical Studies*, Vol.22, No. 86, April, 1986, 55.

(5). See for example I.M., 30 Sept. 1890.

Robin Walker(6) argues that the incidence of violence was often less than one might have expected, being restrained by certain ideological and instrumental factors. Firstly, the miners had an 'internalised respect for the law'. Secondly, they reached the rational conclusion that resorting to violence would not achieve their objectives. While this may be true, the presence of an armed military force in the community for the purposes of coercion and intimidation would probably do more to discourage violence than either of these factors. It is also clear that there was a major difference in the way the military and the civil force were normally perceived. The police could be described as 'hegemonic police', which means that 'they were regarded favourably as the agent of the community, contributing to its good order and common purpose, and their role was usually low-key and reactive'.(7) For example, during the 1888 dispute the presence of half a dozen constables was often sufficient to protect blackleg miners from physical violence,(8) as union leaders reminded the pickets that they had no argument with the police. In October 1888, following a disturbance at Wallsend, the police were still expected by the locals to participate in the Eight Hours procession.(9)

In order to understand the low incidence of violence, it is necessary to examine the State's ability to enforce the law and to suppress collective action. During normal times, the Newcastle and Illawarra districts required

(6). Walker, 55-6.

(7). Ibid., 67.

(8). Mair to Parkes, 17 Sept. 1888, Parkes Correspondence, Vol. 48, A918, 440, Mitchell Library (ML).

(9). Walker, 67.

very little policing. However, in the case of strikes the government was prepared to adopt repressive measures in order to enforce its policies. These included the issuing of proclamations to prevent picketing, despatching armed forces from Sydney to protect blackleg labour and to intimidate strikers, and providing protection for those collieries which requested it.(10) The presence of the military was not welcomed and caused a great deal of antagonism and resentment amongst the miners, since the troops who served as 'frontline soldiers of the capitalist state',(11) were present to confront Labour in the struggle against Capital. While Labour was critical of this type of intervention which most workers regarded as an abuse of power, it continued to support the ideals of law and order and 'did not develop a sustained critique' of the State.(12) Even so, there is evidence which casts doubt on the view that the strikers necessarily avoided violence. For example, in 1879 Major Airey of the New South Wales Permanent Artillery reported that some miners believed that, in the event of a riot, they could overwhelm the military forces stationed in the district.(13) This helps to explain the strong military presence during this particular dispute. In his discussion of the concept of hegemony, Gramsci defines the State as the source of coercive power

(10). See for example *Newcastle Morning Herald and Miners' Advocate*, (N.M.H.), 20 Aug. 1879.

(11). Walker, 67.

(12). Mark Finnane and Stephen Garton, 'The Work of Policing: Social Relations and the Criminal Justice System in Queensland 1880-1914', *Labour History*, No. 62, May, 1992, 53.

(13). Airey to Roberts, 3 Sept. 1879, 4/817.1, NSWSA.

in a society.(14) The enforcement of the law during the mining strikes favoured Capital, since this power was utilised in support of the colliery owners.

The Newcastle district experienced a number of strikes during the latter part of the nineteenth century.(15) One of the earliest records of union activity occurs in 1850, after the miners at one pit combined to raise the hewing rate to 4s.6d. per ton.(16) From 1827, the Australian Agricultural (A.A.) Company enjoyed sole rights to work the Newcastle field. This monopoly ended in 1851 and a number of new companies and settlements based on mining were formed in the 1860's at Waratah, Wallsend and Lambton.(17) In 1860 the miners working in the district combined to form the Hunter River Miners' Protective Association. The following year, the union successfully fought an attempt by the owners to reduce wages by 20 per cent, after the A.A. Company, J.& A. Brown, Coal and Copper, and Wallsend Coal Companies combined to lock the miners out. This is reputed to be the first employers' combination to be formed in Australia.(18) However, in 1862 the miners were forced to accept reduced wages, after a strike lasting seven months resulted in the recruitment

(14). Robert Bocock, *Hegemony*. Chichester, 1986, 28.

(15). See for example N.M.H., 27 April 1880.

(16). Ian Turner, *In Union is Strength*. Melbourne, 1978, 26.

(17). Ellen M. McEwen, 'The Newcastle Coalmining District of New South Wales, 1860-1900'. Phd. Thesis, Univ. of Sydney, May, 1979, 5.

(18). B. Fitzpatrick, *A Short History of the Australian Labor Movement*. 2nd. Ed., Melbourne, 1968, 94.

of blacklegs from Victoria and South Australia.(19)

The mining communities in the Newcastle district were isolated and also closely-knit, while work in the collieries was both demanding and hazardous. According to Turner, this gave the miners 'a solidarity which rested as much on the intensity of their common experience and the tightness of their community as on the conditions of their work'.(20) This strong sense of class solidarity meant that during strikes, employers mostly had to import strikebreakers from outside the colony. Secondly, any intruders sent by the government in Sydney, especially soldiers, were unwelcome. Approximately 50 per cent of the colliery workforce were miners, who were employed to hew the coal and worked for piece rates. The miners possessed greater skills and status than labourers and other semi-skilled workers, who only comprised 10-20 per cent of total employees. The labourers received the lowest wages and their duties included loading the coal, while at the top end of the pay scale were the skilled mechanics who maintained the mine's machinery.(21)

During the years 1869-79 the coal industry rapidly expanded, while the size of the workforce also grew due to assisted immigration.(22) Many of the newcomers came from the militant coalfields of northeast England and Scotland, where unionism was strong and industrial action not uncommon. Some of the miners were blacklisted in Britain and forced to leave to find work.

(19). Turner, 26-7.

(20). Ibid., 26.

(21). McEwen, 15-17.

(22). John W. Turner, *Coal Mining in Newcastle, 1801-1900*. Newcastle, 1982, 89.

Accordingly, united action and other aspects of British strikes, such as the intimidation of blacklegs, became a feature of union activity in the Newcastle district.(23) The first violence occurred in 1873 when strikebreakers were stoned at Lambton.(24)

In 1870 the union became known as the Coalminers' Mutual Protective Association and membership amongst the miners was almost universal. Each colliery had its own lodge which negotiated directly with the company. Delegates also attended district committee meetings, which dealt with matters affecting all miners and coordinated strike action whenever this became necessary.(25) In 1873 the Associated Northern Collieries established the Vend system. Under this agreement, future coal sales were predicted for each company, based upon their sales record over the previous two years. Based upon these calculations, an agreed proportion of the total trade was divided amongst each member-colliery. Any mine which exceeded its allotted quota would pay into a vend fund, which was established in order to compensate the undersellers.(26) The union supported the vend scheme because it guaranteed work for its members. Meanwhile, Jesse Gregson, chairman of the Associated Coal Owners' Association, described the Vend system as 'a combination for mutual support and protection in dealing with the miners', (27) since it enabled the owners to act together in order to resist the workers' demands.

(23). McEwen, 64-5.

(24). Walker, 56.

(25). McEwen, 66.

(26). John W. Turner, 85.

(27). Fitzpatrick, 95.

In December 1873 the Associated Collieries and delegates from the Coalminers' Association agreed to a sliding scale of wages, whereby the hewing rate was based upon the selling price of coal.(28) In any wage negotiations, the two most important issues were the hewing price and receiving adequate compensation for working in difficult and dangerous areas. The rate was at its highest during the late 1870's and stood at 5s. in 1879.(29) Differences over wages would be settled either by arbitration or a conference between the union and employers.(30) This example was based on British models, such as the arbitration boards which were established after 1860. (31) Coghlan describes the agreement as 'the first example in ... Australia of the full recognition of collective bargaining as a principle and not as an isolated phenomenon', since 'the miners' union was recognized as the representative of the miners in every difficulty that might arise'.(32)

By the 1870's the Newcastle district had a number of settlements based on coalmining,(33) and experienced an annual growth rate of 13 per cent, compared to only 6-8 per cent during the 1860's and 1880's. In 1871 the population stood at 6,956, and had risen to an estimated 15,923 by 1881. Ten

(28). T.A. Coghlan, *Labour and Industry in Australia*. Vol. 3, 1918, 1435.

(29). McEwen, 66-7.

(30). Coghlan, 1427.

(31). Robin Gollan, *The Coalminers of New South Wales*. Melbourne, 1963, 52.

(32). Coghlan, 1428.

(33). These were Minmi, Hamilton, Wallsend, Plattsburg, Lambton, New Lambton, Burwood (later Merewether), and Waratah. McEwen, 5.

years later it reached 25,787, however during the 1890's the annual growth rate was only 0.5 per cent per year due to depression and the closure of the oldest workings.(34) Some families were forced to squat on crown land on the edge of town because of a shortage of accommodation.(35) No single mining town dominated the district. (See Map One). For example, by 1891 Hamilton and Merewether had a population of over 4,000; Lambton, Wallsend and Plattsburg about 3,500; and Minmi, Adamstown and New Lambton between 1,500 and 2,500.(36) These coherent working class communities were prepared to resist any attempts by the colliery owners to reduce wages and conditions, thereby potentially putting them at odds with the Sydney authorities as well.

THE 1879 STRIKE.

Background.

In November 1878 a new vend scheme was submitted to each colliery in the Newcastle district. Special meetings were held by the lodges and the proposal was accepted by the majority of miners. District officers also promised the Associated Collieries that the vend would be established at the non-associated mines.(37) Under the agreement, work had to cease at any colliery once it had reached its monthly quota. However it was signed without the support of the Lambton miners, who were opposed to such a condition and refused to accept the district ballot. The colliery's management also

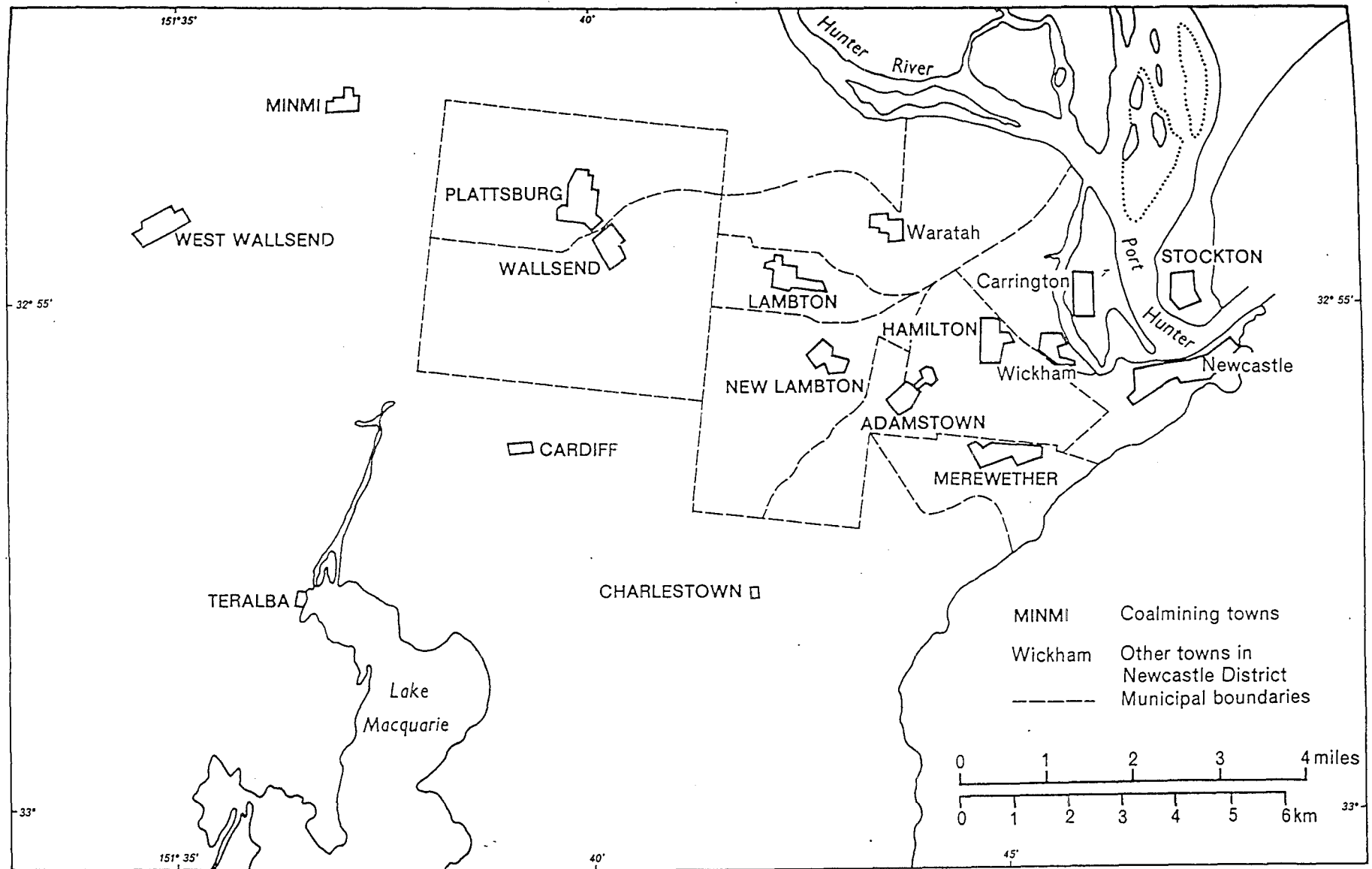
(34). Ibid., 10-11.

(35). Ibid., 5.

(36). Ibid., 10.

(37). N.M.H., 28 July 1879.

Coalmining Towns in the Newcastle District.



Source: Ellen McEwen, 'Coalminers in Newcastle, New South Wales: A labour aristocracy?',

threatened to lock out the Lambton miners if any attempt was made to carry out the district decision.(38)

On 23 July the majority of miners at South Waratah (also known as Raspberry Gully) stopped work because they were in advance of their allotted share of the trade. The company's board of directors in Sydney immediately locked the men out and refused to re-employ them, on the grounds that they were losing too much trade to Lambton and New Lambton collieries.(39) The owners of both mines refused to limit their supply of coal, having captured a large share of the market by taking advantage of the fixed price and underselling the Associated Collieries. Lambton and New Lambton had successfully gained the co-operation of the miners by threatening to import non-union labour into the workplace. The South Waratah directors were prepared to adopt similar tactics in an attempt to force their workers to abandon the vend scheme.(40) Nevertheless, the South Waratah men believed that the increased vend of 25,000 tons,(41) which the colliery had already received from the district, was their full share of the trade. Accordingly, they refused to comply with any requests to exceed this quota.(42)

On 14 August a crowd of between 4,500 and 5,000 miners and their families from all major collieries in the Newcastle district, gathered for a meeting to discuss the situation at South Waratah and Lambton. They resolved

(38). Gollan, 59.

(39). N.M.H., 24 July 1879.

(40). Ibid., 25 July 1879.

(41). Ibid.

(42). Ibid., 28 July 1879.

to support the South Waratah men and agreed that the lockout was caused by the Lambton miners refusing to adhere to the Vend scheme.(43) Three days later, 30 Adelaide miners hired by the South Waratah Colliery arrived in Sydney. They were met by a deputation from Newcastle and after being informed of the lockout at the pit, refused to proceed any further.(44)

First Military Call Out.

On Monday, 18 August a crowd of 1,000-1,500 miners from throughout the district staged a demonstration at Lambton Colliery. The manager was aware that a roll-up had been planned and directed his employees not to work that day. The only workers present at the mine were labourers and engineers who had caretaking duties, including E.N. Brown who rode into Newcastle to report the gathering to Lambton's shipping managers. When Brown returned to the colliery, he was abused by the miners and pelted with stones. Brown responded by drawing a revolver and firing shots at the crowd. Shortly afterwards, he was dragged from his horse and severely beaten.(45) Police Superintendent Morisset, who was in command of the North-Eastern District, investigated a report that Lambton Colliery and the manager's house were surrounded by angry miners armed with firearms, sticks and stones.(46) He found no evidence of a riot, only a large meeting in progress to decide whether or not any collieries in the

(43). Ibid., 15 Aug. 1879.

(44). Ibid., 19 Aug. 1879.

(45). Sydney Morning Herald (S.M.H.), 19 Aug. 1879.

(46). Telegram, Morisset to Inspector General, 18 Aug. 1879, 4/817.1, NSWSA.

district would work the following day.(47) Morisset advised the Inspector General of Police, Edmund Fosbery, that if the miners did not work, a strong force of police would be required to protect the Lambton men. He also intended to ask the manager, Croudace, not to resume work at the pit until sufficient protection was available.(48)

The Government immediately ordered a detachment of 58 Permanent Artillery based in Sydney to proceed to Newcastle under the command of Major Spalding,(49) after giving an assurance that the Lambton miners would be protected.(50) The role of the military would be to assist the police, since the civil force lacked the manpower to cope with any major disturbances which might occur and could easily be overwhelmed by the miners. The Pilot pointed out that the functions of a public officer differed from those of a soldier, highlighting the need to increase Sydney's police force, 'to obviate any necessary draft therefrom being supplemented, except in extreme cases, by the Military'.(51) The Sydney Morning Herald approved of the measures taken by the government, arguing that its first duty was to keep the peace and to ensure

(47). *Ibid.* (Subsequent telegram).

(48). *Ibid.* (Subsequent telegram).

(49). Major Warner Wright Spalding first served with the Royal Marines, reaching the rank of 1st. Lieutenant. In November 1872 he was appointed a Captain in the N.S.W. Artillery and was promoted to the rank of Major in 1876. *Votes and Proceedings of the New South Wales Legislative Assembly, (NSWVP), 1894-5, Vol. 7, 9.*

(50). *S.M.H.*, 19 Aug. 1879.

(51). *The Pilot and Northern Advertiser*, 27 Sept. 1879.

that life and property were protected.(52)

The authorities in Sydney received a number of conflicting accounts regarding the situation in Newcastle. For example, one report stated that the only weapon fired was the revolver used by Brown, while others claimed that the miners had returned the gunfire and up to 10 shots were heard. Another rumour was that the miners intended to take over Lambton in order to prevent the colliery from working. When Spalding and his men, accompanied by almost as many Metropolitan police under Inspector General Fosbery, arrived on the morning of 19 August, they were reinforced by members of the Newcastle Volunteer Artillery and hurried to Lambton colliery. Croudace arrived shortly afterwards and explained that his men had decided to stop work for four days each fortnight. This was taken by Lambton's owners as a strike and consequently the men were locked out.(53)

Fosbery investigated the extravagant reports of prospective violence by the miners and found that these could not be verified. For example, he was unable to locate a single witness who had seen firearms in the hands of miners.(54) Later that morning the South Waratah manager, Ramsay, also requested police protection. He alleged that 3,000 miners were planning to burn houses and 14 blackleg labourers were in danger.(55) Fosbery ordered half the force to South Waratah only to find that the colliery was quiet. Ramsay was unable to offer any explanation for calling the police and that evening

(52). S.M.H., 20 Aug. 1879.

(53). N.M.H., 20 Aug. 1879; S.M.H., 19 Aug. 1879.

(54). Fosbery to Parkes, 19 Aug. 1879, 4/817.1, NSWSA.

(55). Ramsay to Thorpe, 19 Aug. 1879, 4/817.1, NSWSA.

the forces returned to Newcastle.(56)

The local press could not agree on the need for troops in Newcastle. The Maitland Mercury supported the government's action 'in dispatching the military, and in taking precautions to prevent a breach of the peace'.(57) Meanwhile the Newcastle Morning Herald, edited by James Fletcher,(58) was critical of the intervention. It claimed that the military were there 'merely for the purpose of causing needless irritation'.(59) The paper attacked the exaggerated reports appearing in the metropolitan papers, which included headlines such as 'Riots amongst the Coalminers' - 'Lambton Mine Seized' - 'Firearms Used', and suggested that these were calculated to mislead and alarm people. A number of letter-writers also attacked the over-reaction of the government,(60) especially since the miners' behaviour at the meetings had been orderly, while the Newcastle Morning Herald claimed that the opinion of the Police Magistrate and local Justices of the Peace regarding the dispatching of troops had not been asked.(61)

(56). Fosbery to Parkes, 19 Aug. 1879, 4/817.1, NSWSA.

(57). Maitland Mercury, 21 Aug. 1879.

(58). James Fletcher was president of the first miners' union and later became manager of the Co-operative Colliery, as well as a Member of Parliament. During the strike, Fletcher was described by the police as having 'more influence over the miners than any other person in the District'. Sub-Inspector Thorpe to Morisset, 30 Sept. 1879, 4/817.1, NSWSA.

(59). N.M.H., 20 Aug. 1879.

(60). Ibid., 22 Aug. 1879.

(61). Ibid., 20 Aug. 1879.

Intimidation and bluff.

Although Lambton and South Waratah remained quiet despite the lockout at both pits, a small reserve force of Permanent Artillery remained at Newcastle in case of further demonstrations by the miners, while the rest of the troops were withdrawn. In the event of a disturbance, a total of 35 police, supported by several officers and 40 Permanent and Volunteer Artillerymen who were stationed in the district, were available to take immediate action. In addition, the Inspector General advised Colonial Secretary Parkes that in the event of trouble and a large force being required, the miners knew that one could be quickly despatched and placed in any locality.(62) This indicates that the military call out was regarded as a demonstration of the State's ability to suppress any serious industrial unrest which might occur.

Preparations were also being made to protect blackleg labourers should it become necessary to do so. Major G.J. Airey(63) arrived in the district on 2 September and reported that while there was no immediate danger of violence, the probable introduction of blacklegs from other colonies meant that arrangements would have to be made for increasing the strength of the detachment at the first sign of trouble. There were rumours that some miners believed that in the event of a riot they could overwhelm the forces currently stationed in the district, although in Airey's opinion this was unlikely to happen.(64) Colonel Roberts, commander of the Permanent Artillery, maintained

(62). Fosbery to Parkes, 22 Aug. 1879, 4/817.1, NSWSA.

(63). Major George John Airey served 11 years, 2 months with the Royal Marines prior to enlisting in the N.S.W. Artillery in 1871. NSWAP, 1891-2, Vol. 7, 9.

(64). Airey to Roberts, 3 Sept. 1879, 4/817.1, NSWSA.

that any threat from the miners could easily be prevented by increasing the size of the Detachment and strengthening it with field guns. Another option would be to swear in the local Volunteer Force as special constables.(65) This would strengthen the available military forces and allow for the disarmament of any volunteers who opposed them. However the Commandant, Colonel Richardson, advised that 'the Volunteer force could only be sworn in as Special Constables in the same manner as other citizens might be',(66) which meant that they could not be called upon as a body to serve. There was no provision made in the Volunteer Act for using the force for such a purpose.(67)

Fosbery also issued instructions to Superintendent Morisset, in case it became necessary to call out the Permanent Artillery to quell disturbances at the collieries. If the military were summoned to aid the civil power, it could only be 'upon the requisition of the Magistracy'.(68) Accordingly, Sub-

(65). Roberts to Richardson, 5 Sept. 1879, 4/817.1, NSWSA.

Colonel Charles (Chas) Fyshe Roberts previously served with the Royal Artillery and fought in the Crimean Campaign. He was appointed commander of the N.S.W. Artillery Forces, Permanent and Volunteer, in August 1876. NSWVP, 1891-2, Vol. 7, 6.

(66). Richardson to Principal Under Secretary, 5 Sept. 1879, 4/817.1, NSWSA.

Colonel John Soame Richardson, was appointed Commandant in August 1876. He fought in the Crimean Campaign with the 72nd. Highlanders and in the N.Z. Wars with the 12th. Regiment. NSWVP, 1891-2, Vol. 7, 6.

(67). Richardson to Principal Under Secretary, 5 Sept. 1879.

(68). Fosbery to Morisset, 30 Aug. 1879, 4/817.1, NSWSA.

Inspector Thorpe would remain in constant communication with the Police Magistrate at Lambton, in case it became necessary to read the Riot Act. The Inspector General also suggested that an experienced officer should take charge of the military at Newcastle.(69) This would be necessary in order to maintain strict control over the troops and to take the most appropriate course of action in the event of a confrontation with the crowd. Also, since the Permanent Force would be the major factor in bluffing and coercing the miners in the event of a disturbance, the government needed someone at hand who could make a strong assessment of the situation and advise as to whether further reinforcements were required.

Second Military Call Out.

The Newcastle collieries remained quiet until mid-September, when the Lambton miners voted to return to work on the employers' terms.(70) However, a general ballot was taken at pits throughout the district and Lambton's proposition was rejected 1,453 to 790.(71) On 19 September the Lambton miners decided to ignore the District decision and return to work the following week.(72) A total of 113 miners signed a petition for protection from the government, because of fears of violence and intimidation from miners at other

(69). Ibid.

(70). Thorpe to Morisset, 14 Sept. 1879, 4/817.1, NSWSA.

(71). Thorpe to Inspector General, 15 Sept. 1879, 4/817.1, NSWSA.

(72). N.M.H., 20 Sept. 1879.

pits.(73) They were supported by the colliery's management, who argued that a strong force of police and military would be required to enable work to resume.(74) In the meantime, the Permanent Force was called out to South Waratah by H.A. Smith, the Police Magistrate, following fears that a riot was about to occur because of the presence of seven blacklegs working at the pit.(75) The locked out miners observed that a small number of coal waggons had been sent from the works. A crowd gathered outside the colliery fence and proceeded to conduct a noisy demonstration in an effort to intimidate those working inside. Rumours that the miners were planning an attack resulted in the Permanent Artillery being stationed at the colliery as reinforcements for the police, although no violence had occurred.(76) The Sydney Morning Herald claimed that the action of the miners proved that the government was justified in keeping a reserve military force in the district. While the miners may not have intended to use force, a potential for violence existed once the crowd had gathered. The paper concluded that the presence of the military may possibly have prevented a riot, which was more useful than quelling one.(77) Smith, who sent for the military, was viewed by some representatives of Capital as being too much a part of the local community and therefore unfit

(73). Petition from Lambton Colliery to the Colonial Secretary, 19 Sept. 1879, 4/817.1, NSWSA.

(74). Morehead to Parkes, 19 Sept. 1879, 4/817.1, NSWSA.

(75). Smith to Airey, 18 Sept. 1879, 4/817.1, NSWSA.

(76). Telegram, Morisset to Inspector General, 19 Sept. 1879, 4/817.1, NSWSA; S.M.H., 20 Sept. 1879.

(77). S.M.H., 23 Sept. 1879.

for the office of magistrate. For example, Morehead, the General Manager of the Scottish Australian Mining company, criticised him for the decision to grant bail for those charged with the assault on Brown at Lambton.(78)

On 20 September a Proclamation was issued by the Governor, Lord Augustus Loftus, warning the miners against acts of intimidation and interfering with any workers pursuing their lawful occupation. This action made it more difficult for the miners to picket. A reward of £50 was offered for information leading to the conviction of anyone found guilty of these offences. The following morning notices were posted in all mining townships as far as Minmi.(79) At the same time, all available officers and men of the New South Wales Permanent Artillery, under the command of Colonel Roberts, were despatched to Newcastle.(80) Their task was to aid the civil power,(81) by assisting the police to protect all miners wanting to work at Lambton and South Waratah. The contingent comprising around 80 members of No. 1 Battery, 79 from No. 2 and 40 from No. 3 Battery, totalling more than half of the entire permanent force of 362, along with the Artillery Band, arrived by ship early on 21 September. They were equipped with stores, tents and up to 10,000 rounds of ammunition, which equalled 50 rounds per man.(82) The Artillery also

(78). Sub Manager to Parkes, 19 Sept. 1879, 4/817.1, NSWSA.

(79). N.M.H., 22 Sept. 1879; S.M.H., 23 Sept. 1879.

(80). Richardson to Principal Under Secretary, 22 Sept. 1879, 4/817.1, NSWSA.

(81). Lt. Col. P.L. Murray, *Historical Record of the New South Wales Regiment of Royal Australian Artillery*. Sydney, 1903, 6, Australian Defence Force Academy Library, (ADFA), Canberra.

(82). N.M.H., 22 Sept. 1879; S.M.H., 23 Sept. 1879.

sent two 7-pounder field guns and two mortars to Newcastle aboard the Maitland. The Newcastle Herald commented:

'What their intended utilization may be is not mentioned'.(83)

In fact, the presence of the guns and the strength of the force were designed to intimidate and coerce the miners, in order to discourage violence and allow the employment of blackleg labour. For example, the military presence enabled the South Waratah colliery to continue to operate with a new workforce and the company later acknowledged the 'valuable assistance rendered by the government in protecting the workmen from violence'. It claimed that without this protection 'it would have been impossible to have carried on work with new hands'.(84)

The Colonial Secretary was asked for an explanation by the Governor as to why such a large and heavily-armed force had been sent to Newcastle. As Commander-in-Chief under the Military and Naval Forces Regulation Act of 1871, the Governor could engage the services of the Permanent Force as required to maintain internal law and order. However, in this instance there was no evidence of a serious breakdown in the law which genuinely threatened the State, merely an over-reaction to events by a nervous government. While setting troops against wage workers for the purpose of breaking strikes was not uncommon in many liberal states, including Britain, the Governor wanted justification for such a stringent measure. Parkes told Lord Loftus that had

(83). N.M.H., 24 Sept. 1879.

(84). Secretary, Waratah Coal Co. to Colonial Secretary, 11 Oct. 1879, 4/817.1, NSWSA.

he known that 200 men and four guns were being despatched, he would have 'instantly dissented from such a proceeding'.(85)

This was an issue of civil versus military control, because Parkes maintained that he had only arranged to send 100 men, after considering another proposal to increase the detachment stationed at Fort Scratchley to a complement of 100.(86) The decision to increase the size of the force was taken by Colonel Richardson, probably because he knew that blackleg labour was being recruited at South Waratah and the Lambton men were determined to return to work. This gave rise to the belief that a crisis was looming at Newcastle. The police alone lacked the strength to prevent or quell any disturbances which might occur,(87) while a weaker military force risked being overwhelmed by the miners in the event of a violent confrontation. In his explanation, Parkes claimed that an understanding he had reached with the Commandant was departed from after the Colonial Secretary had left town and could have no voice in the matter. In his opinion, '100 men in addition to the Police was ample to meet the occasion in Newcastle'.(88) The field guns were never mentioned 'and the use of guns in such a case ought not to have been contemplated'. Parkes had merely left the question of command of the force up

(85). Parkes to Lord Augustus Loftus, 22 Sept. 1879, Parkes Correspondence, Vol. 45, A915, 660, ML.

(86). Ibid., 661-62.

(87). Morisset to Insp. General, 27 Nov. 1879, 4/817.1, NSWSA; S.M.H., 20 Sept. 1879.

(88). Parkes to Loftus, 22 Sept. 1879, 667-68.

to Colonel Richardson to decide.(89) The correspondence indicates that there was a difference in the way that the politicians and the military perceived the requirements for dealing with the situation. The Commandant believed that a strong display of force was necessary in order to successfully coerce and intimidate the miners, to ensure that law and order was maintained.

Why was the government prepared to deploy a large percentage of the Permanent Force in order to police a relatively minor industrial dispute on the Newcastle coalfields? The answer lies in one of the State's most important roles, which was to encourage and to defend Capital's investment in the colonial economy. In theory, the laissez-faire character of the State meant that specific classes of society were not to be protected 'in any kind of artificial monopoly'. Under the law, workers and employers were both parties to an equal contract. The sellers of labour were free to combine and to refuse to sell below a certain price, while the buyers were also at liberty to set their price and to make alternative arrangements if this was unacceptable. Any dispute between the parties was to be left to 'the chaffering of the market' to settle and the government would not interfere in this process. The government's only role was to ensure that law and order were preserved. In this case, the Newcastle miners were viewed as having physical force on their side, in an attempt to bully the colliery owners into running their business under conditions which did not meet with their approval. This included preventing the employment of non-union miners at South Waratah. As a result, the government argued that it was intervening in order to protect the rights of these workers, and the Lambton miners, to work outside of union rules. It

(89). *Ibid.*, 662.

denied that it was 'using its power to oppress a certain section of the working class', but was acting 'in the interests of the whole working class'. The sellers of labour needed a 'continuous and enterprising investment of capital' and this would be discouraged if the State did not act to defend the rights of the individual, which in reality meant favouring the rights of Capital against those of Labour. Confidence was essential to enterprises such as mining, 'which require the investment of a large fixed capital, and which look forward to a long career for a gradual recovery of the money invested'.(90)

In Newcastle the troops disembarked and marched to the military camp on Signal Hill. That afternoon a detachment of 51 men under Major Murphy(91) travelled by special train to Lambton, where the miners were expected to resume work the following morning. A meeting of Wallsend and Co-operative miners on Saturday night had decided to stage a roll-up to Lambton in opposition to the resumption. As a precautionary measure, a force of 70 Permanent Artillery under Colonel Spalding was standing by in Newcastle ready to provide reinforcements at the first sign of trouble.(92) A crowd soon gathered outside the colliery fence to watch the soldiers rig their tents in

(90). Editorial, S.M.H., 23 Sept. 1879.

(91). Major Michael Murphy was a captain in HM 58th. Regiment prior to his appointment as a lieutenant in No. 2 Battery, NSW Artillery, in 1876. He was promoted to the rank of Major in Sept. 1878. Lt. Col. Murray, 3-5.

(92). Roberts to Commandant, 23 Sept. 1879, 4/817.1, NSWSA; S.M.H., 23 Sept. 1879.

the pit yard.(93) Meanwhile, a second force of 16 soldiers was sent to South Waratah to reinforce Major Airey's contingent.(94) Richardson urged the government to issue instructions to ensure that a magistrate accompanied the military at all times while on duty, maintaining that this would help to deter trouble. If a confrontation did occur, 'the military would be able to act under the direct authority of a responsible representative of the civil law'.(95)

On 22 September the force at South Waratah was further strengthened to 3 officers and 61 men, although no disturbances were expected from the locked out miners until a party of 130 blacklegs, recently engaged for 6 months by the Waratah Coal Company, arrived from Adelaide. Colonel Roberts, in charge of the troops, foresaw a long stay ahead for his men until those locked out found employment elsewhere.(96) This would not be easy, especially if they became blacklisted. The first group of 55 blacklegs arrived at Port Jackson by ship from Melbourne on 24 September and were immediately transported to Newcastle aboard the South Waratah's steam collier. They were landed at the Waratah Shoots and transported in railway trucks directly to the pit. The following day, work commenced under the protection of the Permanent Artillery without any interference. Meanwhile, the next party of blacklegs was not expected until the following week and Roberts urged that they be sent in substantial

(93). N.M.H., 23 Sept. 1879.

(94). Roberts to Commandant, 23 Sept. 1879, 4/817.1, NSWSA.

(95). Richardson to Principal Under Secretary, 22 Sept. 1879, 4/817.1, NSWSA.

(96). Roberts to Commandant, 23 Sept. 1879; N.M.H., 23 Sept. 1879.

groups, rather than small contingents which caused hostile feeling between those on strike and the new arrivals each time they landed.(97)

At Plattsburg the Mayor, James Richardson, convened a public meeting to protest against the military presence in the district. One speaker, James Fletcher from the Newcastle Morning Herald, told the gathering that the people living in the mining townships were in general more law-abiding and required less policing than most other communities in the colony.(98) He also argued that the meeting was wrong to blame the government for sending an armed force into the district. They were bound to protect life and property and Fletcher described it as 'absurd to suppose that they, the Government, would have sent a military force there unless strong representations had been made to them from some quarter or another'.(99) These were made by the proprietors of Lambton and South Waratah mines, while the Lambton miners had signed a petition (see p. 43) for protection from possible violence and intimidation by union miners.

By early October all collieries in the Newcastle district were working, with both Lambton and South Waratah remaining under military protection. The district remained quiet, except for the occasional minor disturbance. For example, girls were sometimes sent at night to cottages occupied by the black-legs to 'tin kettle' the occupants.(100) Tinkettling also occurred during

(97). Roberts to Commandant, 26 Sept. 1879, 4/817.1, NSWSA.

(98). N.M.H., 26 Sept. 1879; The Pilot and Northern Advertiser, 27 Sept. 1879.

(99). N.M.H., 26 Sept. 1879.

(100). Morisset to Fosbery, 3 Oct. 1879, 4/817.1, NSWSA.

strikes in Britain, from where a sizeable percentage of the population originally came,(101) and in Europe. For example, in France women banging on pots outside the company row houses or 'coron' occupied by blacklegs, was known as the 'charivari'.(102) Collective action by women in their roles as workers' wives and daughters was an essential part of the resistance in the mining villages. Tinkettling placed additional pressure on the blacklegs by disturbing their sleep, as well as calling their masculinity into question. After inspecting the detachments at the collieries, Colonel Roberts decided to reduce the strength of the force by sending two non-commissioned officers and four artillerymen back to Sydney.(103) Superintendent Morisset noted that there was no longer any chance of the old hands being re-employed at South Waratah, which now had a full workforce imported from outside the colony. He was surprised that the miners remained in Charlestown, 'knowing the impossibility of obtaining employment elsewhere', yet understood their disinclination to leave their homes.(104) By now, the locked out men and their families were suffering severe hardships, yet they continued to harass the blacklegs and on 10 and 11 October 1879, Sub-Inspector Thorpe arrested 23 miners on charges of intimidation.(105)

(101). Walker, 57.

(102). Louise A. Tilly, 'Women's Collective Action and Feminism in France, 1870-1914', in Louise A. Tilly and Charles Tilly (eds.), **Class Conflict and Collective Action**, 224.

(103). Roberts to Commandant, 3 Oct. 1879, 4/817.1, NSWSA.

(104). Morisset to Inspector General, 3 Oct. 1879, 4/817.1, NSWSA.

(105). Thorpe to Morisset, 11 Oct. 1879, 4/817.1, NSWSA.

During October the police received a report of possible discontent amongst the Volunteers in the Newcastle district, based on comments allegedly made by a miner on a journey from the A.A. Company's bridge to the town of Hamilton. The Military regarded the Volunteer force as a valuable asset for defence purposes. If the report is true and a confrontation had occurred between the Permanent Artillery and the locked out miners who by this stage were becoming desperate, then the loyalty of the Volunteers must have been brought into question. The man claimed that in the event of such a confrontation:

'most of the Volunteers (Miners of Lambton and other Collieries) would be found on the mens' side...and that they had as good a set...of arms as were provided to even the Military. It was not likely that when a row occurred that those men would fight with the Government. They had their wives and families to protect and would know how to act when necessity compelled them'.(106)

The reliability of the volunteer section of the defence forces to enforce the will of the State was most likely to become an issue when troops were called out during industrial disputes, because members often belonged to trade unions themselves. Although the police decided not to take the report seriously, Superintendent Morisset recommended that in the event of a riot in which the Volunteers could become involved, they should be 'sworn in as special constables and if they refused they might then be disarmed'.(107) Of course,

(106). Buxton to Sub-Inspector Thorpe, 6 Oct. 1879, 4/817.1, NSWSA.

(107). Morisset to Inspector General, 7 Oct. 1879, 4/817.1, NSWSA.

there was no provision under the Volunteer Act to do so. (See p. 42).

The military remained at Lambton and South Waratah throughout October and during most of November. Jesse Gregson, General Superintendent of the A.A. Company, reported to the company's London directors:

'A state of quiet throughout the district has succeeded the disturbances ...The Government are retaining a considerable force of military at Lambton and Waratah, and as four miners convicted of riot and intimidation have been recently sentenced to two years imprisonment the law has been vindicated properly and order is preserved'.(108)

Markey argues that there is plenty of evidence that 'New South Wales law commonly functioned as a means of class rule in the nineteenth century', with working class persons being more likely to be gaoled than members of the middle and upper classes. Under the law, trade unions in the colony did not have adequate protection until the passing of the Trade Union Act of 1881. In 1879 there were strong penalties for activities such as intimidation and obstruction, as shown by the heavy two-year sentences imposed by the Courts on four miners. Following the legislation, trade unionists were still not protected as picketing remained illegal in the colony.(109)

On 20 November the Commandant issued orders for the withdrawal of a

(108). Australian Agricultural (A.A.) Company Despatch, No. 308, 24 Oct. 1879, 78/1/52, Noel Butlin Archives Centre (NBAC), Australian National University (ANU).

(109). Ray Markey, *The Making of the Labor Party in New South Wales 1880-1900*. Kensington, N.S.W., c.1988, 121-22.

large portion of the forces from Newcastle.(110) The Colonial Secretary instructed Richardson to leave 50 soldiers at South Waratah and 30 in Newcastle, under the command of officers selected by him.(111) A further 50 officers and men of No. 3 Battery returned to Newcastle from Lambton on 26 November and, along with another 60 from No. 2 Battery, returned to Sydney under the command of Colonel Roberts.(112) Following the departure of the Artillery, Superintendent Morisset requested that the police detachment stationed at Lambton should also be withdrawn. He advised that their presence was no longer required since, without the assistance of the military, it would be unable to prevent or quell any disturbances which might occur.(113) The military force at South Waratah under Major Airey finally received orders to return to Sydney on 18 December.(114) Five days later they left the district aboard the City of Brisbane, (115) leaving behind a small detachment stationed in the Fort at Newcastle.(116)

(110). Richardson to Principal Under Secretary, 20 Nov. 1879, 4/817.1, NSWSA.

(111). Memo from Parkes, Colonial Secretary's Office, 19 Nov. 1879, 4/817.1, NSWSA.

(112). N.M.H., 27 Nov. 1879.

(113). Morisset to Inspector General, 27 Nov. 1879, 4/817.1, NSWSA.

(114). Lt. Col. Murray, 6.

(115). N.M.H., 25 Dec. 1879.

(116). Lt. Col. Murray, 6.

THE 1888 STRIKE.

In September 1888 a large detachment of New South Wales Artillery was again despatched to the Newcastle district,(117) during a general strike which lasted 13 weeks, closing pits throughout the district and seriously interrupting the coal trade. It affected the colony more than any previous dispute in its history and is regarded by Gollan as the 'forerunner to the great Maritime Strike of 1890'.(118) Coal was extremely important to the economy and shortages were felt by both industrial and domestic users. For example, many of Sydney's gas consumers were greatly inconvenienced, while the Australian Gas Light Company estimated that the strike cost the firm £10,313 in lost revenue.(119) Some shipping companies were forced to obtain wood as a substitute for coal fuel,(120) while railway workers and wharf labourers had little work during the stoppage.(121)

Background.

During the 1880's the miners and shearers sought to extend their organisation and establish a stronger collective identity, by forging links with other similar bodies. Unity was recognised as being necessary in order to

(117). Lt. Col. Murray, 11.

(118). Gollan, 73.

(119). J.W. Turner, 107.

(120). Edgar Ross, *A History of the Miners' Federation of Australia*. Sydney, 1970, 62.

(121). J.W. Turner, 106.

achieve their aims of higher wages and improved working conditions and this lead to the formation of two of Australia's largest unions, the A.M.A. and the A.S.U. In Newcastle the Coalminers' Mutual Protective Association became a branch of Colonial District No. 2, N.S.W. of the Amalgamated Miners' Association. Nevertheless, amalgamation with the A.M.A. did not alter the structure and management of the miners' union. Each lodge continued to have its own representatives on the Delegate Board, the union's central authority in the district.(122) Meanwhile, colliery owners who were members of the Vend were also active in extending their organisation, with the formation in 1885 of the Newcastle Coal Owners' Mutual Protective Association. An executive committee was elected to act on their behalf, in order to protect any colliery threatened with collective action on the part of its employees.(123) Financial aid was available in the form of a fund containing a minimum of £10,000. A colliery laid idle by a strike would be reimbursed 2s. a ton on their allotted share of the trade while the dispute lasted.(124)

In 1886 Gregson informed the A.A. Company's London directors that there was now a tendency for all disputes to become struggles 'between Capital and Labour generally'.(125) The last strike had occurred at Lambton in 1885 and resulted in defeat for the miners and a new agreement, which took effect from June 1886.(126) The major problem with this agreement was that it was

(122). Gollan, 69-70.

(123). *Ibid.*, 71.

(124). *Ibid.*

(125). *Ibid.*

(126). *Ibid.*, 72.

virtually the same as the old 1873 contract, with the hewing rate being based upon the selling price of coal, with one important difference: the union was forced to accept lower wage rates.(127) It failed to take into account the different conditions under which the industry now operated, employing over 6,000 men and producing in excess of 2 million tons of coal a year. Also, both miners and employers had lost faith in the system of arbitration and tended only to use it once industrial action had failed. As a result, the 1886 agreement broke down after only one year and was followed by a period in which both sides manoeuvred in an effort to improve their position prior to the general strike in 1888.(128)

The 1888 strike was waged 'in an attempt to enforce an improved industrial agreement covering all conditions'.(129) The miners' union sought a standard wage rate throughout the whole district, a court of conciliation for the settlement of disputes and to have specified the work for which extra remuneration would be given. Seams of coal differed from one pit to another and the union sought payment for hewing out 'thin bands of shale or stone adhering to the coal'.(130) In early May disputes occurred at South Waratah and two other collieries because of this grievance.(131) On 21 July delegates from the Miners' Association submitted a new agreement to the proprietors at a

(127). *Ibid.*, 73.

(128). *Ibid.*

(129). Ross, 60.

(130). N.M.H., 4 Aug. 1888.

(131). Coghlan, 1450.

conference in Newcastle. The owners agreed to reply to this in a fortnight's time, however a union meeting at Lambton on 28 July resolved that unless the new agreement was accepted, fourteen days notice of industrial action would be given.(132)

The Associated Proprietors viewed the miners' threat as attempted coercion and refused to consider the agreement until the notice was withdrawn. They argued that it 'placed them in a position of having to accept an agreement of which they might not approve, with the alternative of a general cessation of the coal mining industry'.(133) On 13 August the miners gave notice of impending strike action. This caused great concern in the community and a large public meeting of the citizens of Newcastle resolved to form a Mediation Committee and requested both parties to withdraw their notices.(134) As a result, the proprietors sent a draft agreement to the Committee for the union to consider, however it could only be presented once the miners withdrew their notice. The union refused to accept this condition and on 24 August the district-wide strike began.(135) Five days later the A.M.A. issued a manifesto, which explained that the owners had been unwilling to settle on a firm date for a conference to discuss the union's proposed agreement. The miners regarded this as an attempt to indefinitely defer a settlement of the dispute which had been so long pending. Their major grievance was the proprietors attempting to force the men to 'work and throw back rubbish from

(132). N.M.H.. 4 Aug. 1888.

(133). Ibid., 6 Aug. 1888.

(134). A.A. Co. Despatch, No. 500, 17 Aug. 1888, 78/1/61, NBAC, ANU.

(135). Ibid., No. 501, 14 Sept. 1888.

among the coal for nothing, or...to do additional work without increase of pay'.(136) The manifesto also claimed that miners locked out of South Waratah were being prevented by the owners from obtaining work at other collieries in the district.

Greta Colliery.

With over 6,000 miners(137) on strike in the Newcastle district, several owners decided to introduce blackleg labour to load small coal and requested police protection for the men, which was duly provided.(138) The first pit to engage workers was Greta Colliery.(139) At the end of August the pit gates were padlocked and trespass notices posted. On 4 September 1888, 30 blacklegs arrived from Sydney accompanied by 25 armed police, strengthening the local force on duty at the colliery, under the command of Superintendent Meares of Maitland, to 40. A large crowd gathered outside the colliery fence to voice strong disapproval at the presence of blacklegs, and consequently two refused to work at the pit.(140) The local storekeepers imposed a boycott, refusing to

(136). *Ibid.*

(137). *Ibid.*, 4 Sept. 1888.

(138). On 31 Oct. 1888 Parkes told the Legislative Assembly that the police had received verbal requests for protection. *N.M.H.*, 1 Nov. 1888.

(139). Greta lay 32 miles from Newcastle and had a population of 1,800. The colliery's output was 120,000 tons annually. *Hall's (Business and Pastoral) Directory of N.S.W.* Sydney, 1896.

(140). *N.M.H.*, 5 Sept. 1888.

supply them with any provisions.(141) A resolution was passed by the Delegate Board, expressing 'deep regret at the introduction of blacklegs or scab labor into the District at the present critical juncture', and condemned the action of the authorities in supporting the 'enterprises' of the owners with an armed force.(142) Armed police had been despatched to the colliery, even though the miners had 'given no indication of their intention to break the law', and no breaches of the peace had occurred.(143)

On 6 September the police received reports of a large gathering at Stephenson's pit.(144) A Sub-Inspector and ten constables were despatched to protect three miners working there, while Gregson's residence on the Hunter River was also placed under guard.(145) Meanwhile, Greta Colliery had engaged a railway contractor and 100 labourers to remove small coal from the mine.(146) However, at the last minute the labourers refused to carry out the work.(147)

The following week a conference between the proprietors and the union in

(141). Walker, 59. The use of the boycott, another form of collective action, was a regular feature of disputes in small mining communities.

(142). Fletcher to Parkes, 5 Sept. 1888, 4/882.1, NSWSA.

(143). Ibid.

(144). A small pit outside the association which supplied steamers with coal.

(145). Telegram, Supt. Meares to Acting Insp. General, 6 Sept. 1888, 4/882.1, NSWSA.

(146). Acting Insp. General to Principal Under Secretary, 7 Sept. 1888, 4/882.1, NSWSA. Small coal: Small lumps graded into 'peas' and 'nuts'.

(147). Ibid., 8 Sept. 1888.

the Newcastle Chamber of Commerce broke up without reaching a settlement. As a result, the masters proposed to issue a manifesto urging the miners to return to work under the old terms. If they refused, substitute labour would be introduced to work in the pits. Inspector Martin Brennan of Newcastle reported that there was no doubt that several collieries in the district would be worked with non-union labour under police and military protection. Since insufficient police were available for any further duties, he asserted that 'it is evident that a very large body of Police and Military will be...necessary; the more so because their strength will have to be divided for the protection of Collieries, some miles apart.'(148)

The introduction of blackleg labour also increased the likelihood of an outbreak of violence and, as in 1879, raised the issue concerning the reliability of the local volunteers and whether they would side with the strikers in the event of a confrontation with the authorities. Accordingly, Inspector Brennan recommended to Meares that all police on duty in the Newcastle district should be armed with Martini Henry rifles and bayonets, 'as in cases of riot, the bayonet is the most effective weapon that can be used by the police'.(149) He was aware that over 400 volunteers in the district, principally miners, were equipped with such weapons,(150) and potentially they could pose a threat to the police. Superintendent Meares immediately advised Sydney that the police should be issued 'with the best arms procurable', (151)

(148). Brennan to Meares, 13 Sept. 1888, 4/882.1, NSWSA.

(149). Ibid.

(150). Ibid.

(151). Meares to Inspector General, 14 Sept. 1888, 4/882.1, NSWSA.

however the Acting Inspector General disagreed. In Reid's opinion it would be 'exceedingly injudicious' to arm the police with rifles, especially as many of his men were not trained in their use. He knew of 'no precedent' for such a move, adding that revolvers were 'the only weapons...safe to place in their hands'.(152)

Regarding the Newcastle Volunteers, the Acting Inspector General thought that it might become necessary to take action with regard to the arms in their possession. Therefore he recommended that 'there should be a force of not less than one hundred Military under a cautious and experienced officer stationed at Newcastle'.(153) Shortly after the military were despatched to the district in aid of the civil power, all ammunition held by the Northern Volunteer corps was removed to Fort Scratchley. On 20 September, orders were issued by headquarters for the removal of 1,000 rounds of ball cartridges belonging to the Wallsend Volunteers, which the men had purchased at their own expense. Local opinion was that the ammunition was taken on account of the majority of Volunteers being miners. Meanwhile, the authorities claimed that the object was to provide a 'secure place' for storage. They would either reimburse the men for the full value of the cartridges, or they could apply for sufficient rounds to stage a rifle match when required.(154)

By mid-September Newcastle's coal trade was at a standstill due to the general strike. Gregson informed the A.A. Company directors in London that all of the associated collieries and those outside the association had stopped

(152). Act. Insp. Gen. to Principal Under Sec., 15 Sept. 1888, 4/882.1, NSWSA.

(153). Ibid.

(154). N.M.H., 22 Sept., 1888.

working. The only coal being shifted was a small quantity of slack and a tiny amount from small pits near Maitland. He advised that the newspapers were largely occupied with the strike and recommended the 'Sydney Morning Herald's account as being on the whole correct and reliable'.(155) In fact, this paper tended to publish wild and exaggerated reports throughout the dispute. For example, the 19th. September issue reported a disturbance at New Lambton pit with the headline: 'Riot at Adamstown'. The directors could not understand why the miners had interrupted the coal trade with a general strike. In Gregson's opinion, the Miners' Executive had counted on the unwillingness of the proprietors to interfere with a prosperous trade.(156) The strike resulted in a huge increase in the demand for coal from the southern coalfields, although the Illawarra pits could only supply around 3,000 tons per day or 20,000 tons per week,(157) compared to the Newcastle companies which produced between 60,000 and 70,000 tons per week.(158)

New Lambton Colliery.

With the coal trade reduced to a trickle, more blacklegs were introduced to load coal. This resulted in the first serious disturbance of the strike at Dibbs and Brown's New Lambton Colliery, located approximately half a mile from

(155). A.A. Company Despatch, No. 501, 14 Sept. 1888.

(156). Ibid., No. 503, 12 Oct. 1888.

(157). N.M.H., 6 Sept., 1888.

(158). Australian Handbook 1888, Sydney and Melbourne, 1888, 221.

In August, 1888 government lines carried 173,526 tons of Newcastle coal, dropping to 3,632 tons for the first weeks of September. N.M.H., 5 Sept. 1888.

Adamstown.(159) The mine had several hundred tons of slack lying on the line and a dozen labourers were engaged to load the coal into trucks. However, on 18 September when work was due to commence, only six men turned up at the railway station.(160) A force of 28 police under Sub-Inspector Lynch, including 20 from Sydney, was detailed to protect the men from the pickets. Around mid-morning approximately 300 miners approached the colliery and asked for permission to interview the men, but this was refused and the strikers retreated. Shortly afterwards they were blocked by Lynch's men, after rushing forward in an effort to outflank the police. Thomas Frith, an Alderman of Adamstown, stood on a stump and warned the gathering not to interfere with the constabulary. During the afternoon the crowd built up and pieces of slug were thrown at the blacklegs. By this time the police were having great difficulty holding the strikers back. After work finished at four o'clock, the labourers were escorted to a shed to await the arrival of their train back to Newcastle. Lynch described the crowd of between 1,000 and 1,200 as being 'most disorderly, shouting, hooting, calling names, threatening and rushing in upon the Police and workmen, being clearly bent upon doing the latter harm'.(161) Many were armed with sticks and included a large number of women and children. (162).

The problem confronting the police was getting the men aboard the train

(159). Adamstown was located 4 miles from Newcastle in the Waratah police district.

(160). N.M.H., 19 Sept. 1888.

(161). Lynch to Brennan, 19 Sept. 1888, 4/882.1, NSWSA; Gollan, 75.

(162). Ibid.

without injury. Their transport finally arrived and the police drew their batons and attempted to open a passage to the carriage about fifty yards away. The blacklegs were brought out of the hut but were unable to reach the train and were forced to retreat. Sub-Inspector Lynch immediately telephoned Newcastle for assistance, and shortly afterwards members of the crowd again asked to interview the men. Lynch reluctantly agreed, realising that the police would be unable to hold back the crowd much longer. Alderman Evans and another man were selected to speak to the frightened blacklegs and told them that if they promised not to return, no harm would come to them. The men agreed and were allowed to leave the pit shortly afterwards, under the protection of the police. This experience convinced Lynch that without the presence of a strong force of police and military, accompanied by a Magistrate to read the Riot Act, 'it would be very injudicious to attempt work at any of the mines'.(163) The withdrawal of the police with their charges was the first time since Lambing Flat in 1861 'that the police had failed to hold disputed ground and it was not to be repeated'.(164)

When reports of the disturbance at the colliery reached Newcastle, the police contacted James Mair, the Police Magistrate. Mair immediately summoned Colonel Spalding, commander of the artillery who was based in Newcastle in anticipation of trouble. Railway authorities quickly made a train available and a military force consisting of Spalding and 25 artillerymen, armed with carbines and a Nordenfeldt machine gun, accompanied Mair, Inspector Brennan and 28 police, to New Lambton. By the time they arrived the crowd had already

(163). Ibid.

(164). Walker, 56.

dispersed, and since the manager felt that no further trouble was likely, the force returned to Newcastle.(165) The Newcastle Morning Herald quickly condemned the call out of the military, especially armed with a Nordenfeldt.(166) The newspaper asked whether the intention of the authorities was:

'to scatter death broadcast amongst men, women, and children. Their actions imply this, or why take such a deadly weapon?'(167)

The role of the military in the colony was also questioned:

'A defence force may be necessary against a foreign power, but an armed force to step in whenever occasion demands to overawe labour, and make it succumb to the mighty power of capital, is quite another thing, and should be cried down by the press of the colony'.(168)

On 19 September a Proclamation by Governor Carrington was published in a supplement of the Government Gazette issued in Sydney. This warned the miners that any acts of intimidation and disorderly conduct would be prosecuted. The military were called out in aid of the civil power after Major-General

(165). N.M.H., 19 Sept. 1888.

(166). *Ibid.*, 20 Sept. 1888. The Nordenfeldt was described as 'a deadly weapon, which, when in full operation, keeps up a continuous stream of bullets in whatever direction it may be pointed'. The gun had 5 barrels and was fired by turning a crank. N.M.H., 21 Sept., 1888. For further descriptions, see Bob Nicholls, *The Colonial Volunteers*. North Sydney, 1988, 185-87.

(167). N.M.H., 20 Sept. 1888.

(168). *Ibid.*

Richardson received an application from the police for additional protection for the Newcastle district(169) As a result, a contingent of 159 officers and men from No. 1 and No. 2 Batteries, N.S.W. Artillery, under the command of Colonel C.F. Roberts, arrived in Newcastle by ship on 20 September. Later that morning a detachment of 84 soldiers led by Colonel Spalding, accompanied by James Mair, Police Magistrate and 76 police, escorted four labourers to work at New Lambton mine.(170) The forces travelled aboard a special train, with a Nordenfeldt machine gun placed in a goods truck at the front of the steam engine. Lieutenant Morris and a detachment of locally-stationed gunners accompanied the weapon. The Newcastle Morning Herald described the expedition as resembling 'a railway sortie during the Soudan campaign'.(171) This relates to 1885 when a New South Wales contingent was despatched to Africa, 'to take part in the wars of empire'.(172) Once at the pit, the Nordenfeldt was placed in an advantageous position to protect the workmen and to guard company property. The weapon's prominence also made it intimidatory, which suggests that military intervention was primarily a coercive action against the miners. The police were stationed at various points around the colliery, while most of the soldiers were dismissed and retired to the railway carriages. The troops were not deployed directly against the crowd, probably because of fears that such a move might unnecessarily provoke unrest.

(169). Ibid.

(170). Roberts to Commandant, 20 Sept. 1888, 4/882.1, NSWSA.

(171). N.M.H., 21 Sept. 1888.

(172). Jeffrey Grey, *A Military History of Australia*, 49.

Throughout the day a steady stream of miners and their families, estimated at over 6,000, came to the pit to observe the spectacle. This represents a large proportion of the local population and demonstrates the impact the military presence had on the local community. Ralph Goundry, the union's district chairman and Alderman Buchanan, Mayor of Newcastle, visited Adamstown and other centres to advise the miners to stay away from New Lambton and to refrain from committing any violence. Consequently the crowd remained peaceful and orderly, apart from the occasional hooting. The blacklegs only managed to fill six waggons during the day and returned to Newcastle before five o'clock, accompanied by their protective force.(173)

The duty of providing aid to the civil power during industrial disputes was not a popular one for the military. The Newcastle Morning Herald featured a letter to the editor of the Daily Telegraph from 'Gunner', who challenged the assertion that members of the Permanent Artillery 'quite relish the idea' of shooting down people. He argued that orders would not be given to 'level a gun against a mob of civilians', unless it was necessary to prevent bloodshed and violence. 'Gunner' continued:

'No soldier, however enthusiastic in his profession, cares to be concerned in a civil riot...He knows well that neither promotion, medals, nor honours of any kind will reward him after such a campaign...at the very best it will prove a thankless and disagreeable duty...'.(174)

(173). N.M.H., 21 Sept. 1888.

(174). Ibid., 26 Sept. 1888.

Following the Adamstown disturbance, three miners were arrested and charged in the Newcastle Police Court with inciting a riot at the colliery. They appeared before Mair, and G.C. Martin and G.W. Webb, Justices of the Peace. Despite strong opposition to bail by the police and the Magistrate, Thomas Frith, Henry Evans and Thomas Sloan were each released on £200 bail, with two sureties of £100.(175) Superintendent Meares forwarded the names of the two Justices who allowed bail to Sydney, noting that Webb was an ex-Mayor of Newcastle.(176) The Chief Justice, replying to a note from Parkes, maintained that bail should not have been granted in such a case. Darley argued that this was 'highly prejudicial to the due administration of Justice'.(177) A total of seven leaders of the demonstration(178) were eventually committed for trial in the Maitland Supreme Court, on charges of unlawful assembly and rioting.(179) Justice Foster complimented the miners for

(175). *Ibid.*, 20 Sept. 1888.

(176). Telegram, **Meares to Acting Insp. General**, 19 Sept. 1888, 4.882.1, NSWSA. Mayors were frequently appointed as J.Ps. along with other prominent residents of the community. Previously, colliery managers had been almost exclusively chosen (e.g. at least four in 1875) to sit in judgement on their employees. However, during the 1880s and 1890s half were Mayors whose occupations included 4 miners and a weighman. McEwen, 136-37.

(177). **Darley to Parkes**, 20 Sept. 1888, 4/882.1, NSWSA.

(178). One of the accused was Alfred Edden, the Waratah Lodge chairman, who later became Minister for Mines.

(179). Telegram, **Brennan to Acting Insp. General**, 27 Sept. 1888, 4/882.1, NSWSA; Gollan, 75.

not using violence and said that the police were unwise to have drawn their batons, since they had not intended to use them. Foster continued:

'A display of weapons without their use is always indiscreet. It is well known that many lives have been lost in connection with such displays. It is better, for instance, that a crowd should be fired into at first than to fire over their heads in order to frighten them back, because even the dreadful effects of taking a few lives...is better than the great slaughter that might follow'.(180)

In Parliament, Buchanan (M.L.A.) described Justice Foster's comments as 'monstrous' and claimed that as a judge, he had clearly 'displayed his incapacity for the position'.(181) All seven men charged in connection with the Adamstown disturbance were acquitted by the jury, resulting in Foster recommending to the Attorney-General that future cases be tried in Sydney. In another case, Justice Stephen sentenced three miners to eight months' imprisonment, with five months' hard labour.(182)

During the strike a total of 16 miners were arrested in the Newcastle district.(183) In one such case, three miners who were charged with rioting at the Glebe pit were only remanded for two days by Martin. He refused to extend this period without allowing bail, causing the police to complain that it was 'impossible...with the extraordinary duties police have to do, to prepare

(180). Ross, 63; Gollan, 76.

(181). N.M.H., 24 Oct. 1888.

(182). Gollan, 77.

(183). Ross, 63.

cases in so short a time'.(184) Critchett-Walker, the Principal Under-Secretary, was directed by Parkes to request an explanation from both Martin and Webb on the issue of bail.(185) After the opening of Parliament by Carrington on 23 October, the Newcastle strike was raised during the address in reply to the Governor's speech. Buchanan, who was sympathetic to labour issues, asked what right the Government had to question the actions of the magistrates in granting bail to miners charged with rioting. He told the House that he regarded this as a form of intimidation.(186)

The Glebe.

The strong military presence in the district resulted in another colliery, the Newcastle Coal Mining Company, recruiting blackleg labour. The company decided to begin filling small coal at its Glebe pit and hired 33 labourers to carry out the work.(187) On 24 September most of the men arrived in Newcastle by train from Sydney. Their carriage was unhooked and attached to a special train waiting at the Newcastle platform. On board were 120 permanent artillerymen under the command of Colonel Roberts. The military were equipped with tents, a canteen, a large quantity of ammunition and two Nordenfeldt guns. They were again accompanied by a strong contingent of police and a Magistrate to read the Riot Act. After arriving at the pit without incident,

(184). Telegram, Meares to Acting Insp. General, 20 Sept. 1888, 4/882.1, NSWSA.

(185). N.M.H., 22 Sept. 1888.

(186). Ibid., 24 Oct. 1888.

(187). Telegram, Bremner to Act. Insp. General, 22 Sept. 1888, 4/882.1, NSWSA.

an area close to the railway line(188) was chosen as a campsite, and a number of tents were erected.(189) A small crowd consisting mostly of women and children gathered to watch proceedings. Unfortunately, no arrangements for food or accommodation had been made for the police, since they had been ordered to the railway station only one hour prior to the arrival of the labourers, thereby forcing many to sleep overnight in the bush.(190) Refreshments of tea and bread were provided by the women of the village, 'to the men whose duty it was to carry out, what the inhabitants considered, a coercive policy'. Eventually rations were sent from Newcastle the following day.(191)

At seven o'clock the following morning the labourers began filling small coal.(192) The military's presence ensured that the Glebe remained quiet, with between 2,000 and 3,000 residents visiting the pit throughout the day. The crowd was prevented from approaching the worksite and all entrances to the mine were guarded.(193) Collective action consisted of a large meeting of miners being held, 'with a band playing and a drum beating within hearing of

(188). All pits belonging to the principal companies, except Stockton, were connected by private lines with the Great Northern Railway. **Australian Handbook** 1888. Sydney & Melbourne, 1888, 221.

(189). N.M.H., 25 Sept. 1888.

(190). Ibid., 26 Sept. 1888.

(191). N.M.H., 28 Sept. 1888.

(192). Telegram, Meares to Act. Insp. General, 25 Sept. 1888, 4/882.1, NSWSA.

(193). N.M.H., 26 Sept. 1888.

the police and the military',(194) as a way of reminding them of their presence. The miners also planned to march into Newcastle and burn effigies of Parkes and Abigail, the Minister of Mines, resulting in Superintendent Meares requesting additional reinforcements from Sydney.(195) The Acting Inspector General hurriedly despatched 20 extra constables to Newcastle, where miners charged with rioting at Adamstown were about to stand trial. Reid ordered the police not to interfere with any burning of effigies, providing that the law was not broken and there was no damage to public property.(196)

The public demonstration planned for 26 September, to coincide with the prosecution of nine miners on charges of unlawful assembly and rioting, was postponed because of heavy rain. A large crowd was still expected in the vicinity of the Newcastle Courthouse and Meares obtained an order from the Police Magistrate to use the military should it become necessary. The district remained quiet, however, and there was little to report. Work continued at the Glebe pit throughout the week and was expected to be completed in 7 or 8 days. The West Wallsend mine had also applied for protection for blackleg labour, although Meares thought that it would be 'injudicious' to weaken the forces stationed at the Newcastle Company's mine until their services were dispensed with.(197)

(194). Telegram, Meares to Act. Insp. General, 25 Sept. 1888, 4/882.1, NSWSA.

(195). Ibid.

(196). Act. Insp. General to Principal Under Secretary, 26 Sept. 1888, 4/882.1, NSWSA.

(197). Telegram, Meares to Act. Insp. General, 26 Sept. 1888.

On 28 September the Glebe and Burwood miners held a colourful demonstration through the streets into Newcastle. Collective action of this type was an effective means of informing the public of their grievances, including the 'harsh action of the authorities in putting the district under...military coercion'.(198) Over 2,000 men, women and children, many dressed in costumes, gathered at the Glebe for the procession which resembled a military parade. Many of the miners wore semi-military uniforms to ridicule the Permanent Force. At the head of the march, accompanying the Burwood Band, was a goat and a donkey, symbolising the animals of the Soudan (Sudan).(199) A number of 'gunners' pulled an imitation field piece, while a drummer had the word 'bombast' inscribed on his drum. One of the principal banners had a number of soldiers represented on it and was entitled: 'The Little Capital Army'. Written underneath were the words: 'To secure the union of labour'. The procession ended in a paddock where a meeting was convened. Speakers condemned the large force which had been placed in their midst, equipped with Nordenfeldt machine guns.(200) There is little doubt that the weapons which were displayed so prominently above the pits, and at the front of special trains, were present for the purposes of coercion and intimidation, especially as very little actual violence had occurred in the district. While some locals

(198). N.M.H., 29 Sept. 1888.

(199). For more information on the military force despatched in 1885 by the Stuart-Dalley government, see for example Malcolm Saunders, 'The New South Wales contingent to the Sudan', *Journal of the Australian War Memorial*, No. 6, April, 1985, 13-19.

(200). N.M.H., 29 Sept. 1888.

agreed that the authorities may have been justified in sending extra police to Newcastle during the strike, it was generally accepted that all troops stationed in the district should have remained in the barracks. Also, reinforcements should not have been called for until their services were required.(201)

West Wallsend and Wallsend Collieries.

On 28 September approximately 25 labourers engaged by the West Wallsend Mining Company arrived by steamer from Sydney, with more expected to arrive shortly.(202) The colliery intended to resume full mining operations and since it was the first attempt to hew coal in the district using non-union labour, it was expected to be met with strong opposition. Accordingly, an extra 20 metropolitan police were sent to Newcastle, to assist in protecting the blacklegs on their journey from the wharf to the mine.(203) A total force of 130 police and military, including 80 artillerymen from Nos. 2 and 3 Batteries under Colonel Spalding, assembled at the railway station to accompany the men to work. West Wallsend was now fenced in, while a shed had been built to accommodate the labourers,(204) many of whom were Italian. The soldiers and police pitched a number of tents and prepared for a long stay. A Nordenfeldt

(201). *Ibid.*, 2 Oct. 1888.

(202). *Ibid.*, 29 Sept. 1888.

(203). Act. Insp. General to Principal Under Secretary, 28 Sept. 1888, 4/882.1, NSWSA.

(204). The men were quartered at the colliery for security reasons. This was standard practice when strikebreakers were introduced into the district.

gun was 'raised on to the pit-head platform above the screens, a position commanding the neighbouring area'.(205) Few local residents bothered to approach the pit to watch the activity. By this stage military forces were becoming stretched, as a contingent of Permanent Artillery was still stationed at Newcastle Colliery's Glebe pit. This force would only be available for duty elsewhere once the task of loading small coal was completed.(206) The district remained quiet, despite the fact that there were at least 7,000 men out of work within a 20-mile radius of Newcastle.(207)

The introduction of foreign labour was a common feature of industrial disputes of this type during the late nineteenth century. Although the union gave workers the solidarity that was necessary to carry out some form of collective action against employers, workers were often divided along ethnic lines and would not allow foreigners to join their ranks. For example, in the United States many strikes were lost as a result of employers introducing gangs of immigrants to act as strikebreakers.(208) Here local communities frequently stood united in order to confront foreign blacklegs. During a strike by Polish miners in Wilkes-Barre, Pennsylvania, the appearance of strikebreakers at the pit entrance resulted in men and women attacking them

(205). N.M.H., 29 Sept. 1888.

(206). *Ibid.*, 5 Oct. 1888.

(207). *Ibid.*

(208). Martin Shefter, 'Trade Unions and Political Machines: The Organization and Disorganization of the American Working Class in the late Nineteenth Century', in Ira Katznelson and Aristide R. Zolberg, *Working-Class Formation*. Princeton, 1986, 229-30.

with clubs, stones and pistols.(209) The unions eventually recognised that the best means of preventing employers from introducing foreign workers was to admit the latter into their ranks.(210) During the Newcastle strike, some metropolitan newspapers reported that the Associated Proprietors had been offered 3,000 Belgian or Hungarian miners to work in the colony. The Newcastle Morning Herald warned that if they were landed in the district, the strike could erupt into a bloody conflict, as had reportedly transpired during a recent strike in the United States. If the proprietors did receive such an offer, it was never accepted. A meeting of proprietors in Sydney on 9 October agreed that they would 'continue to insist upon the principles contained in the draft agreement recently under offer', and would wait for the miners to accept these terms.(211)

The employers were not totally united in their stand against the miners. While workers at some pits were being coerced, at others agreements were reached which resulted in a settlement. For example, on 19 September miners employed by the Great Northern Coal Company returned to work, after the owners broke ranks and signed the union agreement submitted to the Associated Proprietors. The company had recently obtained a contract to supply coal to the Victorian railways and was anxious to settle the dispute. The colliery intended to work three eight-hour shifts, employing 250 miners. The men agreed to contribute half of their earnings to the district strike fund.(212)

(209). *Ibid.*, 218.

(210). *Ibid.*, 230.

(211). A.A. Company Despatch, No. 503, 12 Oct. 1888.

(212). N.M.H., 19 Sept. 1888.

similarly, the Stockton Coal Company, a member of the Northern Collieries Association, also signed an agreement with its workers. On 28 September the Stockton miners resolved to accept the old 1872 agreement,(213) with some modifications. Work resumed the following week with a single shift but this was expected to be increased,(214) since Stockton had signed a contract with Melbourne's Metropolitan Gas Company. This involved supplying 200,000 tons of coal per annum for three years at a fixed price, thereby disregarding all agreements made by the Associated Collieries.(215) Both settlements show that while coercion allowed a number of collieries to remove small quantities of coal from the pits, collective action and worker solidarity successfully prevented any companies from filling major orders without union agreement.

In early October the task of loading small coal at the Glebe pit was completed(216) and the artillery moved on to the largest mine in the Newcastle district, Wallsend.(217) Here their task was to protect 60-70 blacklegs who arrived to fill waggons with small coal. At the outset there was little sign of potential for unrest, which allowed many of the soldiers to relax and pass the time pitching quoits.(218) The only recent friction in the district had occurred between troops and the blacklegs at West Wallsend, whose presence

(213). Ibid., 29 Sept. 1888.

(214). Ibid., 3 Oct., 1888.

(215). A.A. Company Despatch, No. 503, 12 Oct. 1888.

(216). N.M.H., 6 Oct. 1888.

(217). Wallsend Colliery employed upwards of 1,000 miners. Hall's Directory of N.S.W.

(218). N.M.H., 12 Oct. 1888.

necessitated the authorities being stationed there. On this occasion trouble was only avoided by the timely arrival of a police officer.(219) Colliery officials at Wallsend were given the task of operating the mine's machinery, since the engine drivers (known as the 'top-men') refused to do so. This caused great resentment and some officials were stoned on their way home from work, including Neilson, the colliery manager.(220) Six miners were arrested on charges of unlawful assembly and rioting. The courts showed no leniency, by remanding the men in custody.(221) Spalding's troops, perhaps 75 with 24 police as well,(222) had not managed to prevent disorder and had arguably made the situation worse by their presence in the district.

By mid-October the general strike was rapidly drawing to a close. The union requested a conference with the proprietors and a meeting was held on 20 October. The talks continued into the following week until both sides reached an agreement. This included a new scale of payments for cutting coal, which would apply to all collieries in the Newcastle district.(223) The agreement stipulated the standard seam height and extra amounts to be paid for deficiencies, which were determined by measuring the seam and refuse bands. A referee from outside of the coal industry was appointed to replace the council of arbitration, while a no-strike clause was also included. This managed to

(219). *Ibid.*, 8 Oct. 1888.

(220). *Ibid.*, 13 Oct. 1888.

(221). *Ibid.*, 16 Oct. 1888.

(222). *Ibid.*, 11 Oct. 1888.

(223). A.A. Co. Despatch. No. 506, 12 Nov. 1888.

hold until it was breached by the owners during the 1890 maritime strike.(224) On 5 November prior to a ballot being taken, the military and police forces were withdrawn from Wallsend Colliery.(225) Two days later the miners accepted the agreement by a majority of only 200, in a ballot in which 3,500 union members voted.(226) Although the agreement was unpopular, within a fortnight most collieries in the district had resumed work.

The timing of the withdrawal from Wallsend indicates that this was probably an element in the negotiations prior to a settlement being reached. A magistrate, J. Mair, thanked the troops for their 'valuable services' and 'the courtesy that characterised their proceedings in connection with the whole affair'.(227) Meanwhile, the Newcastle Morning Herald reported that the men were pleased to be leaving and had not wanted to be stationed there in the first place.(228) This provides further evidence that providing MACP was not a popular task for the military. While the strike may have ended, the troops remained in Newcastle for the time being. The district remained quiet, however, and shortly afterwards orders were issued for the artillerymen to return to Sydney. One half of the force left on 30 November under Colonel Spalding, while the rest returned with Colonel Airey on 4 December 1888.(229)

(224). Gollan, 77-8.

(225). N.M.H., 6 Nov. 1888.

(226). Gollan, 77.

(227). N.M.H., 6 Nov. 1888.

(228). Ibid.

(229). Lt. Col. Murray, 11.

THE 1890 STRIKE.

Background.

In 1890 the Newcastle miners became embroiled in the biggest dispute of its kind in Australia's history, the Great Maritime Strike. Two other coalfields in New South Wales were also severely affected, the Illawarra mines on the south coast and the western pits in the Blue Mountains region. Each mining district had its own union, along with an Owners' Association which competed with other regions for business.(230) During the strike, the Newcastle branch of the Amalgamated Miners' Association had 3 delegates on the Labour Defence Committee in Sydney; the Illawarra Miners' Association, 2 delegates, including J. B. Nicholson;(231) and the Lithgow (western) Miners' Association, 3 representatives.(232) Detachments of New South Wales Artillery were called out in aid of the civil power in all three mining districts. The Government maintained an official policy of neutrality, which resulted in the enforcement of the law favouring Capital rather than Labour.(233)

(230). N. B. Nairn, 'The 1890 Maritime Strike in New South Wales', **Historical Studies**, Vol. 10, No. 37, Nov., 1961, 4.

(231). John Barnes Nicholson was Secretary of the miners' union. He became M.L.A. for Illawarra from June 1891-'94, and later represented other electorates.

(232). **Official Report and Balance Sheet of the New South Wales Labour Defence Committee**, Sydney, 1890, Pamphlet 1, A3859, ML, 5.

(233). Walker, 63.

The dispute began in August 1890 and was sparked by the affiliation of the Marine Officers' Association with the Melbourne Trades Hall Council (see Chapter Two). This was rejected by the Steamship Owners who demanded its withdrawal, and sought the support of the colliery owners.(234) The coalowners were unable to assist without breaking their agreement with the miners, unless the union provided a pretext for locking them out.(235) On 19 August the Board of the Associated Northern Collieries met in Sydney. The proprietors did not anticipate any trouble from the miners themselves, since they were bound by a General Agreement. However the coaltrimmers and colliery engine drivers were not a party to this agreement, and industrial action on their part could result in the closure of the pits. On 26 August the miners employed at the Australian Agricultural (A.A.) Company's sea-pit stopped work, on account of the Tasmanian Steam Navigation Company's vessel Corinna which was manned by a non-union crew, being supplied with A.A. coal.(236) A resolution was conveyed by the miners' General Secretary, Thomas Dix, to the Newcastle owners:

'Believing that to supply coal to ships manned by non-union labor would only prolong the strike, and, in doing so, would be assisting the steamship owners to defeat our fellow trades unionists - the maritime bodies - under these circumstances we object to cut coal to be supplied

(234). Gollan, 84-5.

(235). Gregson wrote to F.W. Binney, Secretary of the Associated Collieries:

'We have agreed between ourselves, to make a breach of our agreement at one Colliery a reason for instant stoppage at all the other associated pits'.

Ibid., 85.

(236). A.A. Co. Despatch, No. 565, 29 Aug. 1890, 78/1/63, NBAC, ANU.

to ships so manned, but are willing to supply foreign-going ships, provided a pledge is given that they will not discharge such coal at intercolonial'.(237)

This gave the employers the pretext they needed to instigate a lockout. (238) On 27 August Gregson, Chairman of the Associated Colliery Owners, met with other representatives in Newcastle, including Shannon, general manager of the Scottish Australian Mining Company.(239) They decided to stop work at all associated collieries in the district, on the grounds that the miners were in breach of the agreement.(240) This decision was confirmed at a full meeting of the Board on 2 September 1890.(241)

Military Call-Out to Newcastle.

The colliery owners decided to call on the government to take action against the miners. Gregson quickly wrote to the Colonial Secretary regarding 'the urgent need that exists for strengthening the hands of the police in this neighbourhood at the present juncture'.(242) He argued that with the need to

(237). Dix to Gregson, 26 Aug. 1890, 1/57/37, NBAC, ANU.

(238). Gollan, 85.

(239). During the maritime dispute, Gregson and Shannon represented the Associated Collieries on the Intercolonial Conference of Employers in Sydney. Ibid., 86.

(240). A.A. Co. Despatch, No. 565.

(241). Ibid., No. 566, 12 Sept. 1890.

(242). Gregson to Colonial Secretary, 27 Aug. 1890, 1/41A/36, NBAC, ANU.

protect Newcastle as well as Sydney, the regular police force would be unable to cope with any emergencies which might arise in the district. Therefore, they should be supplemented with a military force and special constables sworn in, 'with great public benefit'.(243)

On 27 August rumours of disturbances in Newcastle and Gregson's request prompted the government to take action. While the Corinna continued to load coal at the A.A. Company's wharf, hundreds of miners were reported to be heading into town. The wharf was guarded by the police and A.A. officials. Collective action allegedly consisted of a crowd gathering close by and showering the police with pieces of blue metal. The steamer was ordered to haul off from the wharf until the morning. Meanwhile, in town the police were stoned by a crowd of youths and 4 arrests were made.(244) After meeting with Inspector-General Fosbery and Major-General Richardson,(245) Parkes approved the despatch of 100 Permanent Artillery to Newcastle to assist the police if necessary, along with the swearing in of special constables.(246) During the afternoon 40 specials were recruited and the number was expected to increase to 100 within the next 24 hours. The soldiers were rushed to the district by special train, although it was intended that military assistance should only be requested after 'other means of preserving peace have failed'.(247)

(243). *Ibid.*

(244). *Sydney Morning Herald*, (S.M.H.), 28 Aug. 1890.

(245). *Ibid.*

(246). Report of the Inspector General, 'The Late Strike', NSWVP, 1890, Vol. 7, 630.

(247). S.M.H., 28 Aug. 1890.

Accordingly, the force under Lieutenant-Colonel Airey and Major Murray went directly to the barracks at Fort Scratchley, where they would remain on standby.(248) The Sydney Morning Herald reported that the Newcastle people were 'indifferent as to the presence of this military force'.(249) During the strike the Artillery were not used to support *the police directly*, nor were they sworn in as special constables, which meant they were of limited value.(250) This was a different policy to that pursued by the government in 1888, possibly because the authorities believed that the mere presence of the military alone in the district would have an intimidatory effect and be sufficient to discourage violence.

On 28 August a proclamation was posted in Newcastle, informing the miners that 'the most stringent measures will be adopted to maintain the law...'.(251) Barriers were erected at both ends of the A.A. Company's wharf and a strong police guard was maintained. Since labour was scarce it was proposed to work one vessel at a time, while the remainder waited out in the stream. This would enable the police to concentrate their forces and provide adequate protection for non-union labour, known as 'free labour'. A total of 3,000 miners were locked out of the pits by the end of August, while a similar number in the non-associated collieries were temporarily unemployed due to a shortage of coal waggons.(252) As a result, coal production had been

(248). *Ibid.*, 29 Aug. 1890.

(249). *Ibid.*

(250). Walker, 65.

(251). *S.M.H.*, 29 Aug. 1890.

(252). *Ibid.*

drastically reduced. For the week ending 29 August only 7,445 tons were sent out, compared to the previous week's total of 54,675 tons. Two mines, the Great Northern and West Wallsend, had resumed work with the men agreeing not to supply any intercolonial shipping.(253) However, in mid-September work ceased at the Great Northern and other collieries, because the owners would not guarantee that coal would not be shipped on vessels using non-union labour.(254)

In London, the A.A. Company's directors regarded the news of the Newcastle strike as a 'serious matter'. Nevertheless they believed that since the miners had to eat and pay rent, the larger the number on strike, 'the sooner will the funds, available for loss of wages, be exhausted'.(255) The directors recognised that the dispute was a 'lockout by the Masters and not a strike by the men'.(256) They also considered that the recent success of one of Britain's new unions had influenced Labour in the colonies. Accordingly, the miners' actions in refusing to work with non-unionists were viewed as possibly being due to the 'victory obtained by the Dock laborers in London twelve months ago', which was 'a precedent not likely to be overlooked'.(257)

Despite the fact that there were over 6,000 miners out of work in the Newcastle district during the maritime dispute, the coalfields remained relatively peaceful. While there was the occasional disturbance resulting from

(253). *Ibid.*, 30 Aug. 1890.

(254). *N.M.H.*, 17 Sept. 1890.

(255). *A.A. Co. Despatch to N.S.W.*, No. 651, 4 Sept. 1890, 78/3/14, NBAC, ANU.

(256). *Ibid.*, No. 653, 9 Oct. 1890.

(257). *Ibid.*

the presence of non-union labour, there were still fewer conflicts with police and army than in 1888. Gollan(258) identifies several reasons for this, notably that the strike was a 'solidarity action' for both the miners and the owners. Neither had a grievance with the other party, and there was no particular issue at stake as was the case during the general strike two years earlier. Gregson informed London that one good feature of the strike was that, 'with few exceptions, the men have behaved in a very orderly manner'.(259) Even so, the miners did not agree to return to work until 5 November.(260) At a conference in Newcastle the union agreed to withdraw the letter submitted to the owners back in August, and gave an assurance that in future 'outside influence should not be permitted to interfere between themselves and their employers'.(261) As a result, the owners allowed work to resume under the old terms. Gregson maintained that the aims of the Labour Federation during the maritime strike were the same as those recently put forward by the Cardiff Dockers. This meant that they insisted on a closed shop, claiming 'paramount supremacy in their respective industries', and enforced their claims 'by a system of boycotting'.(262) As a result of boycotts by local storekeepers, the A.A. Company experienced great difficulty in obtaining provisions for the police guarding the colliery's wharf during the strike.(263)

(258). Gollan, 87.

(259). A.A. Co. Despatch, No. 569, 10 Oct. 1890.

(260). N.M.H., 6 Nov. 1890.

(261). A.A. CO. Despatch, No. 572, 7 Nov. 1890.

(262). Ibid., No. 573, 14 Nov. 1890.

(263). Ibid.

On 7 November work resumed in a number of pits including Lambton, South Waratah and West Wallsend, while other collieries were due to resume on 11 November. With 27 August taken as the date the dispute commenced, the Newcastle strike lasted 10 weeks and 2 days.(264) During this period the amount of strike pay distributed to the northern miners by the Labour Defence Committee totalled £9,250.(265) Following the settlement of the dispute, 68 artillerymen under the command of Colonel Airey left the district by train for Sydney on 15 November. These soldiers were based in Newcastle for the duration of the strike,(266) although their services had not been required.

Western Mines.

On 5 September 1890, a meeting of the board of the Lithgow Valley Colliery was presented with a resolution from the Western Coal Miners Union. The miners refused to fill any boat which, were it not for the strike, would be filled by the Newcastle and Illawarra miners.(267) Shortly afterwards, the miners voted to strike from 17 September.(268) This step was the result of a decision by the Labour Defence Committee in Sydney 'to stop the supply of coal from the Western collieries'.(269) The Western miners numbered approximately

(264). N.M.H., 8 Nov. 1890.

(265). N.S.W. Labour Defence Committee Report, 39.

(266). S.M.H., 17 Nov. 1890.

(267). Minute Book, Lithgow Valley Colliery Ltd., 5 Sept. 1890, MSS 2384/19, ML.

(268). Ibid., 19 Sept. 1890.

(269). S.M.H., 11 Nov. 1890.

1,500 men (270) and worked in the pits near Lithgow.(271) (See Map Two).

During the strike non-union labourers were recruited from outside the district to work in the Vale Colliery, in order to supply coal to the railways. Work commenced on 10 October and 350 tons of coal per day were sent out of the mine.(272) A contingent of police was sent to protect the blacklegs, accompanied by 50 soldiers from the Permanent Force,(273) but no rioting occurred and the district remained quiet throughout the strike.(274) The military were ridiculed by the miners for their presence at Lithgow, which was described as 'involving a useless outlay of public money'.(275) The strong resentment suggests that even in cases where there was no serious military action, Labour regarded the mere presence of troops as provocative. Following a public meeting, a copy of a resolution was sent to the Colonial Secretary:

'That in the opinion of this meeting the action of the Government in sending to Lithgow a detachment of armed soldiers is totally unwarrantable, and deserving of the strongest protest...'.(276)

(270). *Ibid.*

(271). Lithgow is a township 3,000 feet above sea level and located 96 miles west of Sydney on the Great Western Railway. In 1896 there were 9 collieries in the district. *Hall's Directory of N.S.W.*

(272). Report of Inspector-General, 631.

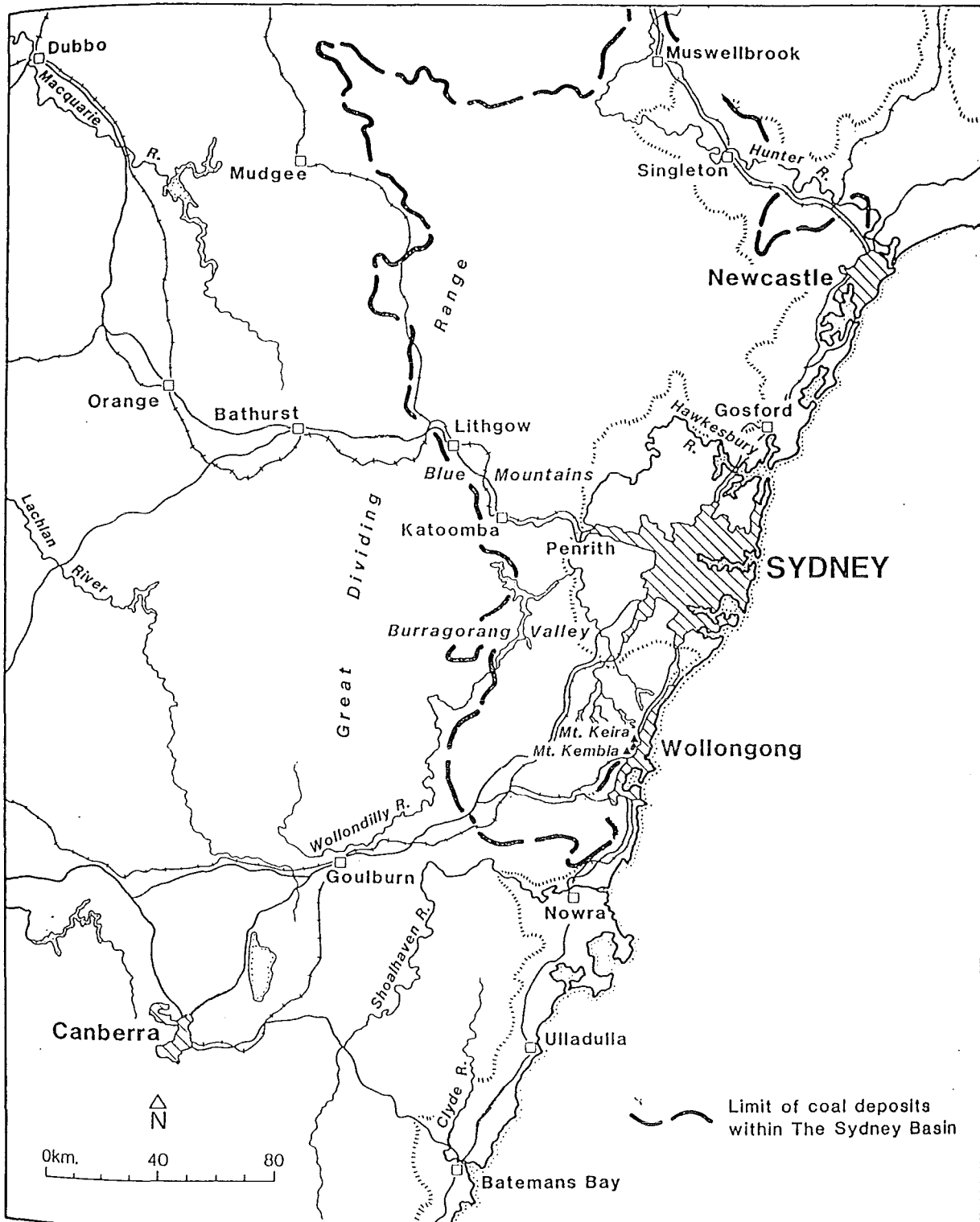
(273). *N.M.H.*, 11 Oct. 1890.

(274). *S.M.H.*, 11 Nov. 1890.

(275). *Ibid.*, 13 Oct. 1890.

(276). *N.M.H.*, 14 Oct. 1890.

Map Two. The New South Wales Coalfield.



Source: Stuart Piggin and Henry Lee, *The Mount Kembla Disaster*.

Sydney: Sydney University Press, 1992, 278.

The western miners were the last district to strike and the first to return to work. On 24 October the strike was called off and mining resumed three days later.(277) The police and military forces were withdrawn from Lithgow shortly afterwards.

The Illawarra District.

The Permanent Artillery were deployed throughout the Illawarra district on the south coast of New South Wales, to assist the police in protecting non-union labour introduced by the colliery owners. The strike began on 17 September and many miners held out until January 1891, long after those other unions involved in the maritime dispute had returned to work. Although the Illawarra miners' union had 1,036 members in September 1890,(278) membership varied widely between the lodges. For example, less than half of the Mount Pleasant miners were unionists, while overall only three-quarters of the miners working in the Illawarra district belonged to the union. In 1879 the lodges had combined to form the Illawarra Miners' Protective Association, and in August 1890 this became the Southern District of the Amalgamated Miners' Association. One reason for the amalgamation was to strengthen the union's bargaining power with the owners.(279)

(277). S.M.H., 11 Nov. 1890.

(278). Jim Hagan and Ken Turner, 'The Origins of the Labor Party in the Illawarra', *Traditions for Reform in New South Wales*. Leichhardt, 1987, 17.

(279). *Ibid.*, 19-20.

During September and early October all attempts to work the Illawarra mines with non-union labour failed, due to the presence of large union pickets and the lack of adequate police protection. Any blacklegs who were engaged were 'easily dissuaded from going into the pits by the strikers'.(280) This was mostly achieved by non-violent means, using sheer weight of numbers and 'moral suasion'. For example, 53 blacklegs who were landed by ship at North Bulli were all persuaded to return to Sydney after the pickets were given permission to interview the men. On this occasion female oratory had the greatest effect, with a large number of women successfully appealing to the new arrivals to leave.(281)

On 8 October one of the first serious attempts to work the mines occurred, when the owners introduced 35 labourers from Sydney to the Corrimall mine near Bulli.(282) (See Map Three). The colliery had a contract to supply the railways with 700 tons of coal per day, and this was the first attempt to hew coal in the district since the strike began. Nine blacklegs quickly succumbed to pressure from the locals and left the district, while the remainder were determined to work for the unprecedented high rate of pay being offered. This comprised 12s. per day with a bonus of 6d. per ton, along with rations and protection from the police.(283) In comparison, the hewing rate at

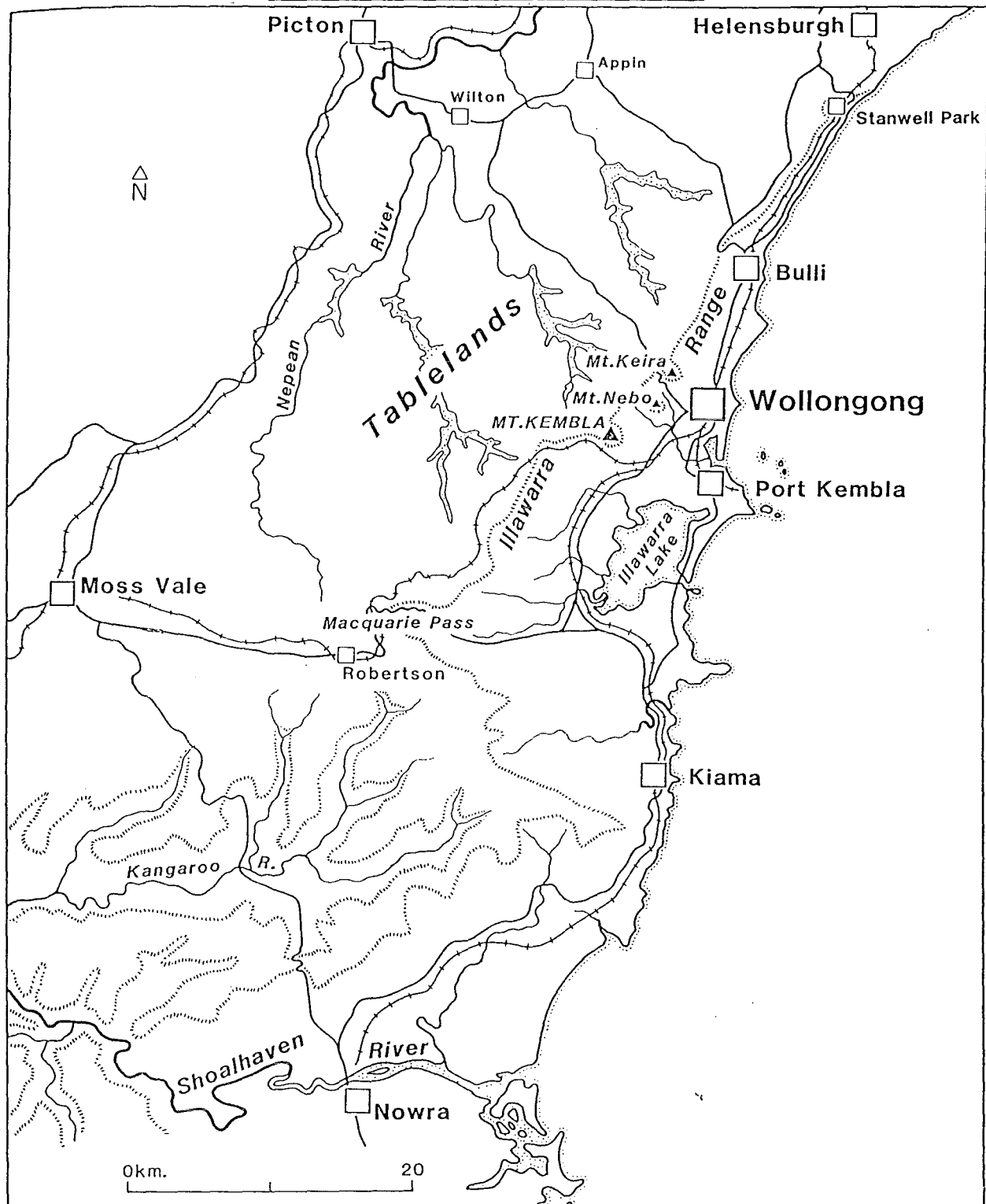
(280). Age, 1 Oct. 1890.

(281). I.M., 9 Oct. 1890.

(282). Bulli had a population of 2,500 and is located 7 miles north of Wollongong. Hall's Directory of N.S.W.

(283). S.M.H., 10 Oct. 1890.

Map Three. The Illawarra District.



Source: Stuart Piggin and Henry Lee, *The Mount Kembla Disaster*.

Sydney: Sydney University Press, 1992, 281.

Newcastle in 1890 stood at 4s.2d.(284) That night the remaining 26 labourers and a force of 40 police spent an uncomfortable time camped at the pit. High winds and collective action from the local residents, in the form of a constant barrage of noise created by the banging of kerosene tins, yelling and screaming, made sleep virtually impossible. The Sydney Morning Herald noted that women and girls featured prominently in the protest.(285) The following morning the blacklegs started work in the mine. Throughout the day hundreds of people converged on Corrimal from throughout the district, while union pickets were posted to watch for the arrival of more blacklegs at the other collieries. By late afternoon the labourers' camp was surrounded by a crowd of over 1,000, although union leaders warned against any violence because of the 'overwhelming odds pitted against the handful of police and free labourers'.(286) The police were powerless to act against such numbers. When the blacklegs returned from the pit they were forced to leave the colliery and return to Sydney by train. It was later reported that some of the labourers were also assaulted.(287)

As a result of the victory by the pickets, troops were immediately sent into the Illawarra district, since the mines could not be worked without the presence of the military to protect the blacklegs. On 9 October Parkes, the Colonial Secretary, authorised the despatch of 100 Permanent Artillery under the command of Major Baynes, along with 50 extra police. Their presence would

(284). Gollan, Appendix 1, 239.

(285). S.M.H., 10 Oct. 1890.

(286). *Ibid.*

(287). *Ibid.*, 11 Oct. 1890.

enable certain pits to employ non-union labour, in order to supply coal to the railways which were seriously affected by the strike, and would also discourage interference from the strikers.(288) In Parliament, Premier Parkes described the refusal of the miners to cut coal for the railways as being 'little short of revolution'.(289)

The introduction of additional police, along with a military force, may be regarded as 'the final and decisive act of the state for, or in concert with, capital'.(290) The force arrived on 10 October and was ordered to Mount Kembla,(291) where work was about to resume with 75 hands engaged at rates of 10s.6d. to 12s.6d. per day, plus rations. The artillerymen established a camp on a level cutting near the pit and were present only as a reserve force, with the duty of maintaining order being assigned to the police. During the day hundreds of miners, along with women and children, made their way to the colliery. The women arrived first and climbed up the hillside to a position above the mine entrance, where they commenced a noisy protest. A meeting of around 1,000 unionists was held that afternoon to discuss the situation. The presence of a military force armed with carbines and bayonets, two Gattling guns and a Nordenfeldt machine gun, plus the difficulties in gaining access to the mine, which was virtually impregnable with a steep tram line

(288). S.M.H., 11 Oct. 1890.

(289). Age, 15 Oct. 1890.

(290). Finnane and Garton, 52.

(291). Mount Kembla is the highest peak in the Illawarra range and lies 7 miles south of Wollongong. Coal was expensive to mine, costing £1 per ton. See Stuart Piggin and Henry Lee, *The Mount Kembla Disaster*. Sydney, 1992.

three-quarters of a mile long running up to the pit entrance, meant that it was almost impossible for the pickets to prevent the colliery from working.(292) One possible course of action was to block or damage the tram line. The authorities were aware of this and a police guard was placed on duty to prevent any vandalism taking place.(293) During the strike some damage to property occurred in the Illawarra district. For example, 16 coal waggons were released on the incline at the Woonona colliery, destroying 10 and causing serious damage to the line estimated at over £1,000. A similar attempt failed at Bulli colliery where the incline was not as steep. The miners' lodge immediately passed a resolution condemning the vandalism.(294)

Work resumed at Mount Kembla on 11 October but progress was slow because the blacklegs were not experienced miners and 25-30 left the district after several days. Some of the men belonged to several 'pushes' in Sydney and were employed to load slack at the surface and to work underground. Results were poor, with much of the large coal being broken and classed as 'nuts'.(295) Pickets maintained a noisy vigil close to the pit, forcing some labourers to sleep in coaltrucks inside the tunnel. They were closely guarded because of fears that an attempt could be made to rush the mine, and during the next few weeks a number of false alarms were reported.(296) On 12 October the furnacemen, engineers and brakemen, none of whom belonged to the union,

(292). S.M.H., 11 Oct. 1890; I.M., 14 Oct. 1890.

(293). S.M.H., 13 Oct. 1890.

(294). Ibid., 11 Nov. 1890.

(295). I.M., 14 Oct. 1890.

(296). S.M.H., 13 Oct. 1890.

returned to work after being forced to remain at home by union pickets the previous day. Graham, a local magistrate, also arrived with a copy of the Riot Act in case it was required.(297) Colonel Spalding inspected the military camp the following day and was satisfied that everything was in order.(298)

Despite the presence of the military at Mount Kembla, various collective actions by the miners and their supporters were still able to be carried out. For example, the union maintained the pickets at the mine and attempted to prevent any more blacklegs from reaching the pit by guarding all the approaches. On 14 October a crowd of young men stoned the colliery's engine while hauling waggons of slack coal, after the driver ignored demands to stop. On the next trip the train received a police escort. Up at the colliery, scrub growing close to the tunnel was cleared to facilitate the movement of the sentries and assisted in detecting any movement in the event of a surprise attack.(299) No serious disturbances occurred, however, and on 21 November the union miners returned to work on special terms with the owners.(300) The contractor supplying coal to the railways found the employment of blacklegs was not a success due to their lack of experience in the mining industry and the small size of the workforce able to be employed. As a result, the old hands were offered 4s.6d. per ton, along with a promise to remove the blacklegs in the event of their acceptance.(301) Shortly afterwards the

(297). *Ibid.*, 14 Oct. 1890.

(298). *Ibid.*, 15 Oct. 1890.

(299). *N.M.H.*, 15 Oct. 1890.

(300). *S.M.H.*, 24 Nov. 1890.

(301). *I.M.*, 20 Nov. 1890.

labourers were transferred to other pits or returned to Sydney, while the military camp was broken up on 26 November.(302)

During the course of the strike, a number of other collieries also employed blackleg labour under military protection. These included mines at Corrimal, Clifton and Austinmer. By mid-October, from a total force of approximately 450, the New South Wales Permanent Artillery had 100 men stationed at Newcastle on strike duty, 100 at Mount Kembla, 50 at Clifton and 50 at Lithgow.(303) The police and military forces were supplemented by a small number of special constables from Sydney who volunteered for duty. With the strike stretching the State's forces, the government became unwilling to commit any more military to the Illawarra district, since this would have left a minimum force to deal with any major disturbances which might have occurred in the city.(304) On 23 October, 23 specials were provided with police uniforms and sent to the collieries for 10-days duty. Six were stationed at both Clifton and Austinmer, and eleven at Corrimal.(305) In some instances blacklegs were also sworn in as specials. For example, three labourers employed at Mount Pleasant were sworn in at Wollongong and issued with badges and batons.(306) Blacklegs were also present amongst the ranks of the Volunteer forces raised in the district. On one occasion, 25 members of No. 6 Battery proposed to refuse to 'fall in' for drill if the strikebreakers

(302). S.M.H., 26 Nov. 1890.

(303). Ibid., 15 Oct. 1890.

(304). N.M.H., 23 Oct. 1890.

(305). Report of Inspector-General, 633.

(306). I.M., 25 Sept. 1890.

appeared. The blacklegs arrived after drill had started and afterwards members spoke of resigning because they objected to serving with scabs.(307)

The Permanent Artillery utilised the railways to overcome the difficulty of communications, which enabled an armed military force to be rapidly deployed to any part of the district. For example, on 13 October the proprietors of the Coalcliff Company's mine at Clifton(308) attempted to land a party of blacklegs at the company's wharf, under the protection of only 20 local and metropolitan police. The undertaking was easily prevented by 300-400 miners gathered near the jetty, who were supported by a large number of women blocking the entrance to the mine. After several fruitless discussions with union representatives, the manager decided that it was unsafe to dock the vessel. Late that afternoon a special train arrived with reinforcements from Sydney, comprised of 50 Permanent Artillery under Colonel Airey and a number of additional police.(309) The government forces spent the night at Clifton in houses belonging to the company. Early the next morning the steamer Herga tied up at the now heavily guarded wharf and 32 labourers were landed. An angry crowd abused and threatened the men but no attempt was made to rush the jetty.(310) Captain A. Money Fisher, S.M. who accompanied the Artillery from Sydney, reported that the day's events 'showed only too clearly the absolute necessity of armed protection in such cases'.(311) On 15 October the blacklegs

(307). *Ibid.*

(308). Clifton lies 15-miles north of Wollongong. *S.M.H.*, 14 Oct. 1890.

(309). *Ibid.*

(310). *Ibid.*, 15 Oct. 1890.

(311). Report of Inspector General, 633.

were reported to be working without any obstruction from the strikers.(312) Several days later the proprietors presented the troops with two barrels of ale and one-pound of tobacco, while the officers received two cases of whisky and two cases of claret.(313) There is no mention of any similar gifts being bestowed upon the police, who were also stationed at the colliery. This is because the permanent force had greater standing amongst the ruling classes than the police, who after all were merely engaged in strike duty which was becoming more frequent in the colony. Lieutenant-Colonel Mackenzie of the General Staff(314) later arrived in the district to take command of the Artillery(315) and established his headquarters at Clifton.(316)

In another case, a special train arrived at Austinmer(317) carrying 22 blacklegs, accompanied by a force of 28 Permanent Artillery and a similar number of police. The labourers were engaged by the North Illawarra Coal Company to load slack from a giant heap estimated to contain 16,000 tons. The carriages from the special train were kept at the mine to enable police and

(312). S.M.H., 16 Oct. 1890.

(313). Ibid., 18 Oct. 1890.

(314). Lt.-Col. Henry Douglas Mackenzie, Assistant Adjutant-General, served almost 11 years in the Royal Navy prior to joining the N.S.W. Artillery as a Lieutenant in July 1877. He was promoted to the rank of Major and A.A. General in 1885, and Lieutenant-Colonel 3 years later. NSWVP, 1891-2, Vol. 7, 6.

(315). N.M.H., 18 Oct. 1890.

(316). S.M.H., 21 Oct. 1890.

(317). Austinmer is located 11 miles from Wollongong. S.M.H., 18 Oct. 1890.

troops to be rapidly despatched to any pit in the district.(318) The engine was kept continually in steam at Bulli, where a double railways staff was assigned to ensure that it was always available for government purposes. Although the train was seldom used during the strike,(319) the picketers were aware that a military force could arrive at any moment to confront them.

Pickets often included women and children and were careful to avoid close contact with the military sentries guarding the pits.(320) The Permanent Artillery was a well-armed, disciplined force and their presence alone was sufficiently intimidating to enable pits to be reopened without bloodshed. This was not always the case in other countries, where collective action sometimes involved violent clashes with military forces. An example is the Featherstone clash in 1893 (pp. 19-20) which resulted in 2 deaths. On some occasions, women were also prepared to confront the authorities. During a strike in northern France in 1906, miners' wives marching through Billy-Montigny threw rocks and stones at soldiers who were attempting to contain their procession.(321) In the Illawarra district, the pickets confronted the authorities by peaceful means and were prepared to risk their lives in the process. For example, on 22 October a crowd of 300-400 men, women

(318). S.M.H., 18 Oct. 1890.

(319). Ibid., 29 Nov. 1890.

(320). N.M.H., 22 Oct. 1890.

(321). Louise A. Tilly, 'Women's Collective Action and Feminism in France, 1870-1914', in Louise A. Tilly and Charles Tilly (eds.), *Class Conflict and Collective Action*, 209-10.

and children blocked a railway line with a human wall approximately 40-feet deep, in order to prevent a train carrying blacklegs from reaching the Corrimal pit. Similar tactics were adopted during a strike at Bulli 3 years earlier. A small police contingent was powerless to remove the protesters and military assistance was immediately requested by the proprietor. The arrival of armed soldiers by special train from Clifton meant that the pickets were unable to prevent the blacklegs from reaching the mine.(322)

Families suffered severe hardship during the strike, with strike pay being irregular and inadequate in providing the bare necessities to live on.(323) For example, two weeks strike pay for 600 miners from Kembla, Keira and Mount Pleasant was issued in mid-October at the rate of only 6s.9d. per week.(324) During the dispute the Illawarra Miners' Association received a total of only £5,930 from the Labour Defence Committee in Sydney.(325) The miners also faced the threat of eviction from their homes. In one instance, police and blacklegs were provided with accommodation in company cottages at Austinmer colliery, while the military formed a camp closeby.(326) Many of the houses were still occupied by families who had ignored the eviction notices served on them, and as a result they were forcibly removed by the authorities.(327) Similarly, miners occupying company cottages at Clifton were

(322). S.M.H., 23 Oct. 1890.

(323). I.M., 18 Oct. 1890.

(324). S.M.H., 18 Oct. 1890.

(325). Labour Defence Committee Report, 39.

(326). S.M.H., 18 Oct. 1890.

(327). Ibid., 20 Oct. 1890.

also issued with eviction notices.(328)

The prosecution of miners and women in the courts added another dimension to the strike. At the beginning of November, a public meeting was held to raise funds for the families of 5 unionists who were sentenced to one month's imprisonment for intimidation at Austinmer. One notable donation was the sum of 5 guineas from John Evans, J.P., the Bulli mine manager.(329) Other miners were prosecuted for breach of agreement, by absenting themselves from work without giving the required 14 days notice.(330) In return, miners sued colliery managers for wages due to them at the time they ceased work.(331) A number of women were also convicted. For example, 5 women were each fined £1 for attempting to tar and feather a blackleg at Mount Pleasant. Thomas, the Police Magistrate, described their conduct as 'diabolical' and said that in his opinion the women had 'practically unsexed themselves, and could not be considered as women any longer'.(332)

During November the Newcastle miners resumed work. This shows the difficulty of co-ordinating action at competing mines, although the Illawarra union argued that the break-through would aid their cause by reducing the selling price of coal as more supplies became available. This would make it extremely difficult for the Illawarra collieries to continue paying high rates for non-union labour and force the abandonment of the 'free labour' system.

(328). I.M., 20 Sept. 1890.

(329). S.M.H., 3 Nov. 1890.

(330). See for example I.M., 27 Sept. 1890.

(331). Ibid.

(332). S.M.H., 28 Oct. 1890.

The blacklegs were currently sending out a mere 200 tons of coal per day from the collieries,(333) in a colony where coal production reached over 3 million tons in 1890.(334) Meanwhile a steady stream of miners left the district in search of work on the northern fields.(335) In late November the Illawarra miners issued a manifesto, explaining that the union had been prepared to return to work under the old terms along with the other districts. The owners now demanded that the miners first sign a written agreement based on 'freedom of contract' before work could resume. They also refused to meet the union in conference or arbitration, while the miners faced a substantial reduction in earnings.(336) When the men finally returned to work in January 1891, the written agreement demand had been withdrawn and the hewing rate was virtually the same as it was prior to the dispute.(337)

During the final week of November the police and military forces departed daily from the Illawarra, along with a number of non-union labourers and miners.(338) The district remained quiet, even though the owners were 'unmoved' by the union's manifesto and the miners continued to reject the new regulations.(339)

(333). *Ibid.*, 17 Nov. 1890.

(334). Gollan, Appendix II, 240.

(335). *S.M.H.*, 17 Nov. 1890.

(336). *Ibid.*, 24 Nov. 1890.

(337). Hagan and Turner, 21.

(338). *S.M.H.*, 25 Nov. 1890.

(339). *Ibid.*, 26 Nov. 1890.

SUMMARY.

The New South Wales military forces had a repressive role in relation to organised labour during the mining disputes of 1879, 1888 and 1890. The Permanent Artillery were deployed as reinforcements for the state's civil arm, to assist in policing the strikes and to enable blacklegs to be employed in the collieries. Requests for military intervention frequently came from prominent capitalists, as a result of union pickets successfully preventing the introduction of non-union labour. While the presence of troops in the mining districts was regarded as provocative and caused great resentment, the miners managed to avoid any direct conflict with the soldiers. The authorities were nervous of the miners' intentions and closely monitored the Volunteer forces who were also armed.

The military were unable to prevent various forms of collective action being carried out by the strikers, including picketing, parades, public meetings and occasional acts of violence. Lawbreaking mostly consisted of the assault and intimidation of blacklegs, with very little damage to company property. Life was made as uncomfortable as possible for the non-union men at every opportunity, ranging from 'moral suasion' and shouts of abuse, to tinkettling and use of the boycott. Women played a prominent role in work-connected struggles in the small, closely-knit communities, since they were dependent on their husbands as wage earners. As a result, they showed great commitment to maintaining worker solidarity and policed the strikes by joining the picket lines. Families suffered severe hardship as there was little or no strike pay, while colliery owners frequently evicted those living in company cottages. The law was also utilised to stifle Labour's opposition,

with the posting of proclamations and the sentencing of strikers by the courts. Those magistrates who displayed any leniency were often subjected to intimidation themselves, because for state repression to work effectively, the full support of the bench was required.

The military were used to intimidate and overawe striking miners with demonstrations of state power. Weapons were prominently displayed at the pits, while large numbers of troops and police were frequently deployed to protect only a small number of blacklegs. The railways were an important means of communication for military forces involved in policing the strikes. Meanwhile, military intervention did not necessarily ensure victory for the proprietors, since the employment of small numbers of inexperienced labourers meant that only tiny quantities of coal could be removed from the mines.

THE GREAT MARITIME STRIKE.

In August 1890 the Australian colonies experienced the first of a series of bitter strikes involving the large new unions of maritime workers, gas stokers, shearers and miners. The Maritime strike was significant because it was an intercolonial dispute which resulted in total defeat for Labour. It occurred at a time of increasing economic activity in New South Wales, Queensland and South Australia, and it was not until 1891 that the colonies began to experience an economic downturn which heralded the onset of the depression.(1)

The strike was the culmination of a chain of events, beginning with a dispute in May 1890 at Jondaryan station in Queensland. This occurred after non-union labour was recruited in preference to union shearers, resulting in carriers and wharf labourers blockading the station's wool and forcing the squatters to back down. Shortly afterwards, squatters in Victoria held a series of meetings and formed a Pastoralists' Union. There were also difficulties in the shipping industry, with a strike being narrowly averted on the Sydney wharves in June. During July the seamen, marine officers, cooks and stewards, and marine engineers all lodged wage claims. The shipowners were not prepared to grant increases in an industry which required rationalisation. As a result, they began to organise against the possibility of a strike by making arrangements for a £20,000 defence fund.(2)

A number of interpretations have been offered as to the role that

(1). John Rickard, *Class and Politics*. Canberra, 1976, 7.

(2). *Ibid.*, 12-13.

employers played in these events. For example, Coghlan, Fitzpatrick and Gollan argue that 'the aim of the employers was to break the unions' in defence of freedom of contract, which suggests a degree of unity on their part.(3) Meanwhile, Nairn argues that the issue of freedom of contract was not the cause of the dispute. Evidence shows that the employers were disunited and had no central organisation in New South Wales until one month after the strike began. The Steamship Owners were the only industrial association with intercolonial links in August 1890.(4) While no federation of Capital or Labour existed at this time, a power struggle did ensue between the participants, with freedom of contract and the recognition of unions becoming two of the major issues during the strike.(5) Freedom of contract meant that an employer would offer work on certain terms and the employee could either accept or reject it. The employers rejected the concept of a closed shop, which meant that only union members could be hired and all negotiations regarding wages and conditions were conducted by the union on behalf of the employees. The strike was directed by a Labour Defence Council in Sydney and a Committee of Finance and Control in Melbourne. Late in the dispute after all attempts at mediation had failed, an Intercolonial Labour Conference attempted to formulate a united policy and reach a settlement with employers but they were unwilling to negotiate. Union leaders began to argue among themselves, with some representatives of the N.S.W. Trades and Labour Council taking the

(3). *Ibid.*, 11.

(4). N.B. Nairn, 'The 1890 Maritime Strike in New South Wales', in *Historical Studies*, Vol. 10, No. 37, November, 1961, 2-6.

(5). Rickard, 8.

view that the Melbourne Trades Hall Council lacked the spirit for a fight.(6)

The strike began in Victoria on 16 August 1890, after the Marine Officers' Association decided to affiliate with Melbourne's Trades Hall Council. The officers had been fighting for higher wages and better working conditions since 1889 and affiliation was viewed as a means of strengthening their bargaining position. The steamship owners were strongly opposed to the move and refused to negotiate until the affiliation was withdrawn, leading to a walkout by the officers. They appealed to other maritime unions for support and within a few days the dispute had disrupted shipping services throughout the colonies.(7) During the strike the State intervened on the side of Capital, making victory for the employers even more certain. The role of the state in the 1890's was to protect 'the system of property to ensure its continuation'.(8) It now had a greater involvement in class relations and a 'more coercive and regulatory role' than in the past.(9) The old ideology of laissez-faire appeared ineffective against the rise of the new unions,(10)

(6). Ibid., 25-31.

(7). R.J. Sullivan, 'The Maritime Strike, 1890', in D.J. Murphy (ed.), *The Big Strikes*. St. Lucia, 1983, 65-7.

(8). R.W. Connell and T.H. Irving, *Class Structure in Australian History*. Melbourne, 1980, 213-14.

(9). S.F. Macintyre, 'Labour, capital and arbitration 1890-1920', in Brian Head (ed.), *State and Economy in Australia*. Melbourne, 1983, 98.

(10). John Docker, 'Can the Centre Hold?', in Sydney Labour History Group, *What Rough Beast?* Sydney, 1982, 57.

resulting in demands from the ruling classes for greater state intervention and stronger government measures during industrial disputes.

The repressive agents of the state, the military forces and the police, were deployed against the unions to protect non-union labour, often at the request of employers, and to coerce and intimidate the pickets. The middle class in Australia were concerned by the size of the conflict, while the press largely sided with capital. Law and order became a catch-cry for politicians and a number of middle class citizens offered their services as special constables.(11) Yet only one year earlier during the London Dock Strike, in August-September 1889, the middle class had been firmly behind Labour in its fight with Capital. The reasons behind the difference in attitude needs to be explained. Letters to British newspapers indicate that the english middle class supported the aims of the dockers, rather than their methods of achieving them. For example, support for their plight was almost lost when the union called for a general strike in London.(12) The middle classes recognised that the strike was not the act of a militant union but a chance for the dockers to improve their lot.(13) There was also the realisation that 'casual workers could behave in an orderly and decent manner',(14) a reaction influenced by memories of the demonstrations by London's unemployed in 1886-7.

(11). Raymond Markey, *The Making of the Labor Party in New South Wales 1880-1900*. Kensington, NSW, 1988, 160.

(12). Gillian Cronje, 'Middle Class Opinion and the 1889 Dock Strike', *Our History*, No. 61, Winter, 1975, 9-10.

(13). *Ibid.*, 19.

(14). *Ibid.*, 18.

The Times congratulated the strike leaders on their moderation but opposed any display of intimidation and violence by the union pickets.(15)

In Australia, the newspapers matched their British counterparts with favourable coverage of the dock strike.(16) The colonial middle classes were sympathetic towards the dockers' cause because their demands did not appear to be unreasonable. These included an increase in wages to sixpence an hour, and a guaranteed minimum period of employment of four hours.(17) Throughout the country public meetings were convened to discuss the struggle and a huge sum of money was raised, enabling the strike to succeed. Subscription lists indicate that the total sum contributed by the Australian colonies was approximately £37,000, with all sectors of the community becoming involved in the fund raising.(18) In marked contrast to their coverage of the dock strike, many Australian newspapers condemned the actions of the unions involved in collective action during the 1890 maritime dispute. Requests by employers for stronger government measures received generous coverage by the press and were often supported by the middle class, especially in Melbourne where a strike by gas stokers threatened to leave the city in darkness.

According to McIvor, employers' organisations were mostly created 'in

(15). *Ibid.*, 11.

(16). P.F. Donovan, 'Australia and the Great London Dock Strike: 1889', *Labour History*, No. 23, November, 1972, 19.

(17). Cronje, 8.

(18). Donovan, 18-19.

direct response to growing union militancy and trade-union organisation'.(19) The employers' bodies were prepared to use coercive strikebreaking tactics as one of their first lines of defence against new unionism.(20) Similarly, in Britain statistics indicate that during the 1890's, '40 per cent of recorded strikes were settled by methods other than negotiation, conciliation and arbitration'.(21) In 1889, the Board of Trade identified 'the import of replacement labour to fill the places vacated by strikers' as a common feature of labour disputes in that country. The growth of employers' organisations assisted these strikebreaking efforts and resulted in certain procedures being developed for dealing with industrial disputes.(22) At the outbreak of the 1890 Maritime strike, the shipowners sought the support of the coal proprietors, who obliged by locking the miners out after they refused to supply vessels manned by non-union labour. The manager of the Scottish

(19). Arthur J. McIvor, 'Employers' Organisation and Strikebreaking in Britain, 1880-1914', *International Review of Social History*, Vol. XXIX, 1984, 2.

(20). *Ibid.*, 6. The term 'new unionism' comes from the British trade union movement. The organisation of semi and unskilled workers in Australasia occurred at approximately the same time as in Britain. Ian Turner, *In Union is Strength*. 2nd ed. West Melbourne, 1978, 31. Markey points out that the British usage 'referred to unions organised as industrial or general bodies, rather than along occupational lines'. Ray Markey, 'New Unionism in Australia, 1880-1900', *Labour History*, No. 48, May, 1985, 15.

(21). McIvor, 6.

(22). *Ibid.*

Australian Investment Company noted that employers and representatives of capital were combining 'to meet the aggressive and revolutionary actions of the labour organisations throughout these Colonies'.(23)

In Britain, 'free labour' organisations were also established during the 1890's as an obstacle to new unionism, by providing employers with an alternate source of blackleg labour. One of the largest was the National Free Labour Association, although these strikebreaking organisations were of limited use in skilled and strongly unionised industries such as coalmining.(24) It was the employers' organisations,(25) such as the Shipping Federation, which played the most significant role in smashing British strikes. The Federation was formed following a meeting of shipowners in London, which 'witnessed a series of angry tirades against the new unionism and against the government for failing to protect non-union labour', (26) especially during the 1889 Dockers' strike. Registry offices were opened in all major ports and seamen were forced to sign a registration 'ticket', which meant they pledged to uphold all agreements and to work with non-union labour. The Federation's power was demonstrated by the smashing of strikes in London

(23). Rickard, 22.

(24). McIvor, 6-7.

(25). See for example R. Bean, 'Employers' Associations in the Port of Liverpool, 1890-1914', *International Review of Social History*, Vol. XX1, 1976, 358-82.

(26). Geoffrey Alderman, 'The National Free Labour Association', *International Review of Social History*, Vol. XX1, 1976, 311.

(1890-91) and Hull (1893). (27) The owners were assisted by an oversupply of labour and intervention by the State to protect property and strikebreakers. Official attitudes towards picketing began to change around 1910-14, as the view gained ground that this type of collective action was partly justified when it resulted from employers bringing blacklegs into the workplace.(28) As a result, 'the authorities became increasingly reluctant to provide military and police protection for substitute labour during strikes'.(29)

During the 1890 Maritime strike the employers successfully recruited non-union labour under the protection of the State, resulting in victory for Capital. Several stages were reached during the dispute before State intervention occurred. Waters defines a strike as 'a collective and complete withdrawal of labour made by a group of workers in order to exert pressure on a person, a group, or an organization other than itself'.(30) Alfred Schutz, the phenomenological theorist, argues that strikes have an 'in-order-to motive', which involves 'exerting pressure on some external unit to comply with claims, or desires, or demands made by workers'.(31) In this instance, a number of affiliated unions struck in support of the marine officers. Following the withdrawal of labour, the unions began various forms of collective action including picketing, holding public meetings and parading through the streets to publicise their cause. At this point, the employers

(27). Ibid.

(28). McIvor, 8-9.

(29). Ibid., 9.

(30). Malcolm Waters, *Strikes in Australia*. Sydney, 1982, 4.

(31). Ibid.

attempted to introduce strikebreakers and to move cargo. The pickets succeeded in maintaining their blockade, resulting in representatives of Capital urging the various colonial governments to intervene by providing greater protection. This meant increasing police numbers, calling out the military and enrolling hundreds of special constables. These measures resulted in large numbers of strikebreakers being employed, which ultimately lead to the defeat of the unions. For example, in Melbourne it ensured that the gas works continued to operate, while in Sydney wool bales were successfully carted to the wharves.

It is useful to compare the outcome of the Maritime dispute with that of the 1889 London Dockers' strike, when the State was not prepared to support Capital in the struggle against Labour. A study by Ballhatchet (32) reveals how the tactics adopted by the Metropolitan Police contributed to the union's success against the owners. The police, along with the majority of the general public, were sympathetic towards the dockers' cause. They distinguished between strikers and 'roughs' when reporting on crowd behaviour, and generally acknowledged the good conduct of the unionists. Union pickets were permitted to place posters at the dock gates, warning blacklegs that if they continued to work the consequences would be 'extremely serious'. While lawyers representing the owners argued that the notices were intimidating non-union workers, the police ignored their complaints.(33)

The employers also requested that the police disperse the pickets at the docks. Chief Commissioner James Monro told Matthews, the Home Secretary, that

(32). Joan Ballhatchet, 'The Police and the London Dock Strike of 1889', *History Workshop*, No. 32, Autumn, 1991, 54-68.

(33). *Ibid.*, 55-7.

to suppress this action 'would necessitate nothing less than a wholesale and continuous clearing of the streets by Police of all men deputed by strikers to act as pickets'.(34) This was a realistic attitude, since strike leaders argued that picketing was legal provided that no intimidation was involved and the police accepted this. Nevertheless, Monro was aware that picketing did 'covertly aim at' and was 'calculated to produce intimidation'. The aim of the pickets was to persuade the blacklegs that their continuing to work would result in some type of injury or disadvantage being inflicted upon them.(35) He explained to Matthews that it was primarily 'the fear of such undefined injury which operates on non-strikers, and leads them to refrain from working'. Despite this, the Commissioner did not believe that the existence of 'such undefined fear' provided reasonable grounds for picketing to be outlawed.(36)

Monro held that the primary duty of the police was to maintain order in the streets. The docks were the responsibility of the Dock Police who were under the control of the companies. Accordingly, the Metropolitan Police were instructed not to answer any requests for assistance, 'unless the local Met officer judged intervention was necessary'.(37) Angry owners blamed the police for their difficulties in recruiting non-union labour, because the constabulary was not providing ample protection. For example, when a group of blacklegs arrived at the dock railway station, threats by pickets resulted in

(34). *Ibid.*, 57.

(35). *Ibid.*, 57-8.

(36). *Ibid.*, 58.

(37). *Ibid.*

13 out of 29 workers refusing to continue. On the issue of military intervention, the Metropolitan Police reported that they did not require assistance but agreed to military forces being placed on standby at the Tower. The army was only ordered to reinforce the City Police should it become necessary to do so.(38)

(38). Ibid., 59.

NEW SOUTH WALES.

The Maritime Strike officially lasted almost 12 weeks in New South Wales, from 16 August until 6 November 1890.(39) During this period the number of unionists on strike peaked at around 15,000, from a total union membership of 50,000-60,000.(40) A number of different unions became involved in the dispute, including the Marine Officers who stopped work from 16 August-1 November 1890; wharf labourers, 19 August-5 November; seamen, 20 August-15 November; Newcastle miners, 26 August-5 November; Illawarra miners, 17 September-December 1890; trolley and draymen, 15 September-5 November; and the shearers, 24 September-2 October.(41) The call out of the shearers was a desperate move by the Labour Defence Council. Once the ASU had agreed to return to work, 'the unequal conflict was practically over, and all that remained for the Defence Committee was to bring its operations to an end'.(42)

The strike was significant not only because of its size and duration and the wide range of industries affected, but also for the distinct battle lines

(39). S.M.H., 9 Dec. 1890.

(40). E.A. Boehm, *Prosperity and Depression in Australia 1887-1897*. London, 1971, 44n.

(41). *Ibid.*, 43n-44n.

(42). *Official Report and Balance Sheet of the N.S.W. Labour Defence Committee, August to November 1890*, Trades & Labour Council Papers, A3859, Pam. 1, 12, ML.

which were formed on both sides by unionists and employers.(43) As each side closed ranks, the issues became blurred and the conflict developed into a major test of strength between Capital and Labour.(44) Widespread disruption to shipping, commerce and coal supplies resulted in the employers' union placing increasing pressure upon the government to take strong measures against the strikers. Premier Parkes, in spite of his determination that the government remain neutral in the dispute, still considered that the 'state of things is little short of a revolution'.(45)

The strike was a vastly complex affair from the beginning, since the wharf labourers had an agreement with the ASU not to handle any bales of wool shorn by non-union labour.(46) On 18 August the seamen's union gave the Steamship Owners' Association 24 hours notice of strike action in support of the marine officers, while the wharf labourers refused to work any vessels with blackleg crews.(47) A Maritime Conference was convened in Sydney and evolved into the NSW Labour Defence Committee. Opponents claimed that the unions had formed 'a rival government, and that the colony itself was in a state of civil war'.(48) Only those unions on strike were represented on the Committee and deputations from employers arrived daily, seeking assistance to

(43). Rickard, 8.

(44). Markey, 158.

(45). Rickard, 23.

(46). Markey, 158.

(47). S.M.H., 19 Aug. 1890.

(48). Report of NSW Labour Defence Committee, 10.

shift cargo. However any cargo handled by blackleg labour was immediately declared 'black' and blocked by the pickets.(49)

By 20 August, 4,500-5,000 workers were on strike in Sydney. The police were stationed on the principal wharves but had little to do, while outside the gates union pickets monitored events.(50) The wharf labourers' union selected 443 members for picket duty, assisted by approximately 300 seamen and a small number of men from other unions. A watch was maintained 24 hours a day and the arrival and departure of all vessels was quickly reported to the Defence Committee.(51) As the steamers berthed, the crews were ordered to join the strike. Concurrently, the ranks of non-union labour were also increasing and these workers, along with sailors and clerks from the steamship companies, were managing to unload some vessels without interference from the pickets.(52) One feature of the strike was the quantity of non-union wool which was still being shipped to England, despite predictions to the contrary.(53)

The only government measures taken at this stage of the strike was the despatching of a large body of police to the Water Police Station in case of any disturbances. The police spent 12 hours a day on watch and were ordered to remain at home while off-duty, where they could be quickly contacted if

(49). Ibid.

(50). S.M.H., 21 Aug. 1890.

(51). Ibid., 22 Aug. 1890.

(52). Ibid., 25 Aug. 1890.

(53). Ibid., 4 Sept. 1890.

required.(54) When the strike commenced, Sydney's police force had a total strength of only 559, with 65 constables and 12 mounted troopers being available for duty at any one time.(55) During the first days of the dispute very few incidents were reported, including an attempted arson and the stoning of 3 clerks who were unloading a steamer.(56) Although an increasing number of non-union labourers were being interfered with by the pickets, most declined to prefer charges and few arrests were made.(57)

Sir J.H. Carruthers inspected the wharves on 25 August and reported to Parkes that everything was quiet. There appeared to be plenty of non-union labour available and work was proceeding 'with fair speed'.(58) Carruthers believed that 'with tact' there would be no disturbances, although the critical time would be when the unions ran out of funds and broke ranks.

'Chagrin and impending defeat may then cause violence but I believe that a few policemen will quickly nip that in the bud'.(59)

Carruthers makes no mention of the need for any military intervention in the strike.

(54). *Ibid.*

(55). The Late Strike. Report of the Insp. General of Police, NSWVP, 1890, Vol. 7, 627.

(56). S.M.H., 29 Aug. 1890.

(57). Report of Insp. General, 627.

(58). Carruthers to Parkes, 25 Aug. 1890, Parkes Correspondence, A920, Vol. 50, 306-07, ML.

(59). *Ibid.*, 307.

On 28 August a large crowd gathered outside the gates of the A.U.S.N. Company's wharf to challenge the blacklegs who had been recently recruited. As each worker arrived, he was questioned and threatened with various 'pains and penalties' for continuing. A number were reportedly assaulted and hit by flying blue metal. That morning a deputation from the Labour Defence Committee offered Parkes up to 1,000 unionists to act as special constables to assist in keeping order. The Colonial Secretary praised the good conduct of the unionists and told the delegates that at present their services would not be required.(60) The offer was refused on the advice of Edmund Fosbery, the Inspector General of Police. Critchett-Walker, the Principal Under Secretary, informed the delegates that the government 'could not accept the services of any person to act as an officer of the law...on the offer of any organised body', because special constables could only be appointed in their own individual capacity.(61) It appears that the government was attempting to bluff the unions into believing that it had no thoughts of recruiting specials at this stage of proceedings. It probably also took into account the question of the reliability of trade unionists in enforcing the law against fellow union members. Seven days later the government began enrolling specials and steps were taken to ensure that these volunteers were not union members.(62)

The unions sought the support of the public and decided on mass action to publicise their grievances. A crowd of over 20,000 gathered at Circular

(60). S.M.H., 29 Aug. 1890.

(61). *Ibid.*, 1 Sept. 1890.

(62). Robin Gollan, *Radical and Working Class Politics*. Carlton, 1960, 133-34.

Quay on Saturday, 30 August and paraded through the streets with bands playing and large banners prominently displayed. On the day of the march, the government announced that it intended to erect barricades around the P.& O. Company's wharf.(63) The following Monday, a large crowd gathered to abuse the fencing contractors, Hudson and Company, while they carried out the work. The strikers regarded the government's action as favouring the employers, because the barricades were clearly intended to keep them out. Attempts to disrupt the fencing resulted in extra police being called in to enable the barricades to be completed.(64)

The first serious violence occurred on 3 September, when a number of blacklegs were attacked after working at Dalgety's and Parbury's wharves. In one incident the police rescued 4 labourers from an angry crowd, which included a number of women and children, and escorted them to the safety of a nearby police station. Lower George Street was quickly filled by 4,000-5,000 people. A force of mounted troopers was required to escort the labourers home, while the crowd hung around the streets for hours afterwards.(65) The Sydney Morning Herald reported that 'it is evident that the strikers in Sydney are following the unfortunate example set in Newcastle and Melbourne of forcible obstruction and intimidation of non-union labourers'.(66) Although the newspaper described the situation as 'pandemonium', few arrests were made.

(63). S.M.H., 1 Sept. 1890.

(64). Ibid., 2 Sept. 1890.

(65). Ibid., 4 Sept. 1890.

(66). Ibid.

As a result of these developments, Chief Inspector Fosbery met with members of the government to discuss the situation. The government indicated the intention to use 'all means and powers at their disposal to maintain law and order', (67) as the situation was now considered serious enough to warrant strong measures being taken. A Proclamation was issued warning the strikers against intimidating or molesting anybody going about their lawful business. A force of 71 mounted police were ordered to Sydney from the country districts, while public notices appeared in newspapers calling on 'law-abiding' citizens to enrol as special constables. Specials were appointed under the Towns Police Act and exercised the same powers and authority as ordinary constables. (68) On 4 September, 519 specials were sworn in and during the next few weeks the total increased to 3,283. (69)

The foot specials were organised into 24 companies 100-strong and led by retired army and navy officers, along with officers from the Volunteer forces. The companies were formed into 5 battalions which would be assembled in an emergency at various locations throughout the city. This would be signalled by 3 guns fired in rapid succession at Dawes Battery and Victoria Barracks, along with a red ensign hoisted at the General Post Office. The companies also assembled daily and their duties included guarding wharves and escorting wool-drays through the streets. A. Money Fisher, S.M., was placed in charge of the special constabulary, in conjunction with Chief Inspector Fosbery. (70)

(67). Ibid.

(68). Insp. General's Report on the Late Strike, 628-30.

(69). Ibid., 632.

(70). Ibid.

The government also decided that the military should be held in readiness in case of serious unrest, and a contingent of Permanent Artillery was stationed under canvas at Dawes Point.(71) The detachment of 50 non-commissioned officers and men was commanded by Major F. Baynes, assisted by 2 subalterns. An 'inlying piquet at Victoria Barracks was also detailed under Captain Savage for a similar duty in case of emergency'.(72) A British warship, the Royalist, lay in port and pickets were despatched to muster all men on general leave back on board. Orders were also issued preventing any further leave being taken on account of the civil disturbances.(73)

On Saturday, 6 September a large procession 1½-miles long, comprising nearly 10,000 unionists and supporters from 44 unions, marched through the streets of Sydney to the Domain. Here a peaceful crowd gathered and a large contingent of police on duty, assisted by union marshals, had very little to do. The Sydney Morning Herald commented:

'Perhaps the moral effect of a strong contingent of artillery being stationed at Dawes Point, ready to gallop down at a moment's notice, had something to do with this'.(74)

Speakers at the rally accused the government of deliberately siding with the

(71). Coulthard-Clark, 'The Military as Strikebreakers', Pacific Defence Reporter, May, 1981, 72.

(72). Lt. Col. Murray, Historical Record of the New South Wales Regiment of Royal Australian Artillery, 13, ADFA.

(73). S.M.H., 4 Sept. 1890.

(74). Ibid., 8 Sept. 1890.

employers in the dispute, because of the deployment of the military, mounted police and special constables. G. Herbert, secretary of the Coal Lumpers' union, enunciated the doctrine of laissez-faire in his address to the crowd:

'Lord Derby had said that in any dispute between capital and labour it was the duty of the Government to keep the way clear and let them fight it out. The Government of this country did not do that'.(75)

Musto, president of the Seamen's Union, questioned the government's neutrality when it allowed the employers to use the shipping office to recruit non-union labour. The government had supposedly made moves to purchase all the firearms in Sydney and Musto commented:

'Perhaps it would not be surprising to inform the Government that they had...men under arms. The volunteers were members of their societies. Who were the Permanent Artillery? Who were the volunteers? If those men were called out against them today, they would lay down their arms'.(76)

There is evidence that some degree of sympathy and support for the strikers existed among the ranks of the defence forces. For example, members of No. 4 and No. 8 Battery, Volunteer Artillery were suspended from military duty until 1 January 1891 after abusing a gang of free labourers.(77) Distrust of the State meant that some unions, notably the miners, had very few members

(75). Ibid.

(76). Ibid.

(77). NSWPD, Part 6, 11 Nov.-3 Dec. 1890, (LA, 21 Nov.), 5485.

in the military because these forces had been regularly deployed against them during strikes in the past. In Sydney, it appears that the Permanent artillerymen stationed at Dawes Point Battery were only called out by the government to intimidate the strikers by their presence. Their deployment was not justified, because a memo dated 12 September from Fosbery to the Colonial Secretary indicates that the unionists had not presented a major threat:

'The superintendent and officers of the metropolitan police concur in my opinion, that the behaviour of the majority of the Union men has been good'.(78)

In September the Premier was criticised by the Cabinet for his handling of the strike. On 11 September Parkes received a request from McMillan, the Colonial Treasurer, that 'in cases of extreme necessity' due to the strike, the Premier allow him to take control of the military and the police. The Treasurer, along with the majority of Cabinet, believed that 'Parkes' policy of prudent neutrality in the strike needed to be stiffened to include possible coercion of the strikers'.(79) The Premier, who dominated the government in spite of a recent accident which left him suffering a broken leg, argued that the public interest would be best served by his retaining complete control of the police and military forces. These were currently being 'held in readiness to act in the most effective manner' should this become necessary, while care had been taken 'not to irritate the men on strike by any unnecessary parade of

(78). Insp. General's Report on the Late Strike, 628.

(79). Bede Nairn, 'A Note on a Colonial Treasurer's Resignation', *Historical Studies*, Vol. 13, No. 49, Oct., 1967, 94.

force and not to show any leaning to either side...'.(80) In fact, the position of the government could hardly be described as a neutral one, since the measures being taken to 'preserve law and order' were directed against the strikers. Also, the military were currently preparing further measures if required. Lieutenant-Colonel Mackenzie, the A.A. General, asked the Victorian Defence Secretary for 'a copy of any local Act or Regulations you may have regarding the calling out of the Militia Forces in connection with riots', and to 'specially mark the clauses bearing upon the subject'.(81)

A major development occurred on 14 September, after members of the Trolley and Draymen's Union held a mass meeting and voted to strike the following day. Their action prevented the cartage of wool bales from Darling Harbour station to the wharves at Circular Quay, where the cargo was being loaded by non-union labour.(82) The Sydney Morning Herald commented:

'This is perhaps the most effective move yet made by the strikers in the direction of putting a stop to shipping operations'.(83)

The Colonial Treasurer reminded Parkes that 'things are not improving re (regarding the) Strike' and argued that mounted troopers provided the most effective 'deterrent against disorder'. Accordingly, 'these should be doubled

(80). Parkes to McMillan, 13 Sept. 1890, Parkes Correspondence, A894, Vol. 24, 148, ML.

(81). Mackenzie to Vic. Secretary of Defence, 15 Sept. 1890, CRS B3756, 1890/2857, AAV.

(82). Insp. General's Report on the Late Strike, 629.

(83). S.M.H., 17 Sept. 1890.

or trebled by all means'.(84)

In the Legislative Council, the Hon. William Pigott produced a copy of the Echo and quoted instances of violence and intimidation by strikers, to prevent carting firms from delivering goods. Members called for strong measures from the government to prevent what they regarded as 'outrages', and compared the lack of action with the response by the Victoria government.(85) The Hon. James Hoskins argued that the government in that colony was equal to the occasion, since:

'they moved numbers of troopers or militia-men from the interior to the metropolis; they increased the police force; they even made a demonstration of the permanent forces, and they overawed the rioters.

Why did not the Government of New South Wales deal in the same way with persons interfering with men willing to work for a living?'(86)

While Hoskins was aware that the police force in the city had been reinforced from the country districts, he argued that a further 500 or 1,000 constables were needed in Sydney.(87)

On Friday, 19 September a number of wool merchants, businessmen and squatters decided to break the blockade on the cartage of wool by conveying it themselves from Darling Harbour to the stores at Circular Quay. According to

(84). **McMillan to Parkes**, Sept. 1890, Parkes Correspondence, A925, Vol. 55, 800-01, ML. (Brackets mine).

(85). **NSWPD**, Part 4, 21 Aug.-30 Sept. 1890, (L.C. 18 Sept.), 3827-31.

(86). **Ibid.**, 3831.

(87). **Ibid.**

Governor Carrington, the merchants made this move 'to enable it (the wool) to reach England in time for the November sales'.(88) Ten trolleys, each drawn by two horses, were loaded with upwards of 150 bales. News of the move quickly spread and a crowd of 2,000-3,000 unionists and supporters gathered nearby to voice their objections.(89) Such action would not have been possible without the government providing the necessary protection for the employers.

The procession of trolleys left Darling Harbour under a strong escort of police, special constables and mounted troopers. A number of prominent businessmen took the reins, including the Hon. William Halliday and Alfred Lamb, head of the Employers' Association. Outside the station, mounted police were forced to clear a path through the crowds to enable the trolleys to pass, amidst loud jeering and shouts of abuse. Approaching George Street, stones were thrown and several drivers suffered scalp wounds. Down at Circular Quay, space was cleared in front of Talbot and Company's store for the trolleys to be unloaded, watched by a noisy crowd of around 10,000. While this work was in progress another disturbance occurred, resulting in more stones being thrown.(90) Inspector General Fosbery ordered the Riot Act to be read(91) and a nervous Nugent Brown, JP, attempted to make the announcement, although it is doubtful whether anybody actually heard the words. Following this, Fosbery

(88). Carrington to Knutsford, 22 Sept. 1890, C.O. Despatches 1890, AJCP, PRO 1886, ML. (Brackets mine).

(89). S.M.H., 20 Sept. 1890.

(90). Ibid.

(91). Fosbery to Parkes, 19 Sept. 1890, Parkes Corres., A900, Vol. 30, 5, ML.

ordered his forces consisting of almost 100 foot and mounted police, assisted by 200 specials,(92) to clear the wharves and adjacent streets. The Inspector General did not request any military assistance, because he believed that the force of special constables was sufficient to deal with the crowd.(93) The crowd was quickly dispersed with people fleeing to avoid the charging troopers, many stumbling and falling in the process. Afterwards the remaining trolleys were unloaded and returned to Darling Harbour under the protection of a large force of special constables.(94) The Permanent Artillery remained on standby throughout the day, having been issued with arms and ammunition,(95) however their services were not required.

On the morning of the breaking of the wool blockade, a deputation from the Chamber of Commerce lead by the chairman, J.H. Stone, waited on the Colonial Treasurer. They requested that the government take steps to protect free labourers from intimidation and threats of violence, and that the streets be kept clear and the crowds moved along, to enable businesses to operate more smoothly. McMillan told the deputation that he believed that the crisis had now reached a different stage of development from the 'covert intimidation' of the past few days:

'I quite allow that we are in this position, that a temporary semi
-revolutionary Government has attempted to be set up in the midst

(92). S.M.H., 20 Sept. 1890.

(93). Fosbery to Parkes, 19 Sept. 1890.

(94). S.M.H., 29 Sept. 1890.

(95). The Weekly Times, 27 Sept. 1890.

of a law-abiding people'.(96)

McMillan promised that the government would use every power that the law allowed to prevent the strikers from congregating in the streets,(97) creating a crisis for the government.

That afternoon Premier Parkes, who was obeying doctor's orders and resting at his home at Hampton Villa, Balmain, received members of his cabinet informing him of events at Circular Quay. In an interview with the Sydney Morning Herald later that evening, Parkes denied that any other minister was authorised to speak on behalf of the government on the subject of its policy towards the strikers. He emphasised that the government must remain neutral in the dispute and that its duty was to uphold the law, not to defend the interests of one class against those of another.(98)

On 20 September McMillan quit the post of Colonial Secretary, following the disagreement with Parkes over government policy and the need for tougher measures, and the Premier advised Carrington to accept the resignation.(99) The Governor immediately summoned Parkes and 'pointed out...the impossibility of a Minister giving up office at the present juncture, and prevailed on him to withdraw his advice that the resignation should be accepted'.(100)

(96). S.M.H., 20 Sept. 1890.

(97). Ibid.

(98). Ibid.

(99). Nairn, 94.

(100). Carrington to Knutsford, 22 Sept. 1890, C.O. Despatches 1890, AJCP, PRO 1886, ML.

Carrington also informed McMillan that while under ordinary circumstances his resignation would be accepted, 'in the present unsettled state of affairs' he declined to do so.(101)

A meeting attended by around 1,500 unionists was held on 20 September at Flagstaff Hill to discuss developments in the strike. Brennan, president of the Labor Conference, accused the wool merchants of deliberately attempting to incite a riot at Circular Quay. Another speaker, W. Trenwith, a labour representative from Victoria, congratulated the strikers on their exemplary conduct and for not falling into 'the trap set by the capitalists'. He also warned that the government should not 'risk the experiment of bringing out the citizen soldiers to fight against their fellows'.(102)

At this stage the government was preparing further measures to be taken against the strikers. As a result of the disturbances the Colonial Secretary, supported by Inspector General Fosbery, decided to reinforce the ranks of the mounted police by enrolling special mounted constables. The specials were placed under the command of Superintendent Garvin from Armidale and their task would be to operate a system of street patrols to protect free labour and the wool trolleys,(103) since Fosbery proposed to commence carting on a large scale on Monday, 22 September.(104) A number of foot specials who were

(101). Ibid.

(102). Age, 22 Sept. 1890.

(103). Insp. General's Report on the Late Strike, 630-32.

(104). Telephone message, Fosbery to Parkes, Sept. 1890, Parkes Corres., A900, Vol. 30, 3, ML.

equipped with their own horses offered to serve in this capacity.(105) Their ranks included a number of volunteers from the Sydney troop of cavalry, retired troopers and ex-cavalrymen.(106) A troop of 163 specials was quickly raised and they were dressed in the uniform of the bush police,(107) making it difficult to distinguish them from the troopers.

Parkes also requested that a number of volunteers from the mounted infantry and cavalry should be summoned from the country districts.(108) The arrangements were made by the Commandant, Major-General Richardson,(109) and the volunteers, along with their horses, were rushed to Sydney aboard 2 special trains.(110) This second troop of 162 special mounted constables were sworn in and also dressed in bush police uniform,(111) possibly because of fears that the sight of their military dress may have incited the strikers to riot. The force camped at Dawes Point, along with the Permanent Artillery, and was placed under the command of Captain Dodds. Its ranks consisted of 2 troops from the New South Wales Regiment of Cavalry, No. 76, B troop (Illawarra) and C troop (Camden).(112) The Mounted Infantry Regiment, No. 86, also furnished 2

(105). Insp. General's Report on the Late Strike, 630.

(106). S.M.H., 24 Sept. 1890.

(107). Insp. General's Report, 630.

(108). Ibid.

(109). Telephone message, Fosbery to Parkes, Sept. 1890, Parkes Correspondence, A900, Vol. 30, 1, ML.

(110). S.M.H., 22 Sept. 1890.

(111). Insp. General's Report, 630.

(112). S.M.H., 24 Sept. 1890.

companies, D (Picton) and E (Campbelltown).(113) They were issued with swords which were similar to the cavalry's blade, to enable the corps to perform their duties as mounted specials.(114) The volunteers from the defence forces received the same amount as they would for a training camp,(115) ten shillings a day plus rations and feed for the horses.(116) One of their main tasks during the next few weeks would be to escort waggons to and from the wharves. Although the volunteers were sometimes attacked and stoned while on duty, no serious casualties were listed.(117)

The cartage of wool bales from Darling Harbour to the wharves at Circular Quay and Miller's Point resumed on 22 September. The trolleys were escorted by a strong force of special constables, foot and mounted police under the command of Fosbery and Superintendent Reid. The mounted specials were heavily utilised throughout the day for patrol and escort duty, while the Permanent Artillery were held in readiness in case of serious rioting.(118) Several newspapers also reported that the marines aboard 2 vessels of the Imperial Squadron, H.M.S. Orlando and H.M.S. Curacoa were also standing by and would be landed in the event of the police being overpowered.(119) On this

(113). *Ibid.*, 26 Sept. 1890.

(114). *Ibid.*, 24 Sept. 1890.

(115). Insp. General's Report on the Late Strike, 630.

(116). *S.M.H.*, 3 Oct. 1890.

(117). P.V. Vernon, (ed.), *The Royal New South Wales Lancers 1885-1960*. Sydney, 1961, 15.

(118). *S.M.H.*, 23 Sept. 1890.

(119). *Age*, 22 Sept. 1890; *The Weekly Times*, 27 Sept. 1890.

occasion there was no repeat of the disturbances of the previous Friday, and 25 trolleys were shifted throughout the day without interference from the strikers.(120)

The strike leadership organised a large but peaceful meeting in the Domain on 22 September, in an effort to swing the government and the broader population behind their cause. It was held, significantly, at precisely the time that the first waggons were expected to leave Darling Harbour. The alternative to the protest was a possible clash with the forces of the State, something which the Labour Defence Committee wished to avoid. James Finch of the Stewards and Cooks' Union presided at the meeting and warned that:

'If there should happen to be a repetition of Friday's scene, it would go to show that Mr. Mcmillan was right in the position he took up with regard to the strike, whereas if they kept quiet it would be a sure sign that the Premier held the more correct ideas upon the subject'.

(121)

The government had a force of over 4,000 special constables, mounted and foot police, bush cavalry, and mounted and permanent artillery available to quell any disturbances which might occur but the city remained quiet.(122)

There were also plans to use imperial officers from the military but these were thwarted by Governor Carrington and Parkes. Carrington refused a

(120). S.M.H., 23 Sept. 1890.

(121). Ibid.

(122). Carrington to Knutsford, 22 Sept. 1890, C.O. Despatches 1890, AJCP, PRO 1886, ML.

request from the Inspector General to allow Captain McNeill to command the Mounted Specials, and instructed all officers not 'to go near any disturbances even as spectators'.(123) The Premier agreed that it would be 'inexpedient to employ any Imperial military instructors in light of the disturbances amongst our own people'.(124) In Parliament, Schey (Redfern) accused McMillan of making plans to use Royal Navy forces aboard the British warships currently in port during the dispute. He alleged that it was only intervention from Parkes, who 'would never lend himself to the landing of imperial forces in any part of Australia', that this was prevented.(125) Carrington and Parkes were reluctant to risk imperial officers being brought into 'direct conflict with the taxpayers of the Colony', (126) as this could have harmed the imperial relationship. If domestic capital had to be protected by the state, it would need to be carried out as unobtrusively as possible, because the eruption of an open conflict might have endangered British loans and investment in the colony.

The removal of cargo under heavy guard from Darling Harbour continued throughout the week without any disruption. The anti-labour Sydney Morning Herald described the exercise as a 'demonstration', because 'it proved the determination of the Government to protect personal liberty', meaning the

(123). Ibid.

(124). Parkes to Carrington, 23 Sept. 1890?

(125). NSWPD, Part 4, 21 Aug.-30 Sept. 1890, (LA, 24 Sept. 1890), 3976.

(126). Carrington to Knutsford, 22 Sept. 1890.

rights of Capital, 'against attempts to crush it by violence'.(127) Critics of the government argued that its highly provocative and confrontational policies were designed to intimidate the strikers. The government's intention was to secure a confrontation by inventing a threat where none existed. For example, it was unnecessary to read the Riot Act at Circular Quay, as only 18 people were arrested and of these only 3 were unionists.(128) In Parliament, Crick (West Macquarie) claimed that the whole affair had been planned the previous evening at the Union Club, for the purpose of inciting the unionists to riot, in order to secure tough government measures against the strikers. There was no necessity to drive the trolleys through the streets, because the wool was being lightered to its destination, however Crick explained that 'there was to be an exhibition and a parade'.(129)

The number of wool bales being carted rapidly increased, and the mounted and foot specials accompanying the waggons were replaced by a system of continuous mounted patrols along the routes to the wharves.(130) The mounted specials were on duty 12 hours a day, with patrols being provided alternately by the cavalry and mounted infantry corps. Usually about 100 men were sent into the city and suburbs, in patrols ranging in size from 4-8 men. Orders were issued daily by the Chief of Police to their commander, Captain Dodds, and the first forces were despatched at 4:30 a.m. to escort non-union labour to the workplace. The camp at Dawes Point was maintained under regular

(127). S.M.H., 26 Sept. 1890.

(128). NSWPD, Part 4, 21 Aug.-30 Sept. 1890, (LA, 23 Sept. 1890), 3939.

(129). Ibid., 3938.

(130). S.M.H., 26 Sept. 1890.

military routine and drill was held each afternoon for those not engaged in patrol duty.(131) There was a question^{mark} regarding the legitimacy of these operations, because members of the Country Cavalry Corps who were acting as mounted specials were sworn in by their commander, Colonel Macdonald. The colonel was not a Justice of the Peace and had no powers to take such action, therefore the cavalrymen were 'not legally qualified to act as specials'.(132)

The mounted forces were successful in preventing the union pickets from obstructing the movement of cargo to and from the wharves. On 13 October the crisis eased with a number of union carters returning to work,(133) although a large force of police and specials continued to be stationed in the city. The Premier reviewed a parade of mounted troopers and volunteers in Moore Park on 18 October, thanking them for their service 'at a time of insecurity and at a time of what might have been public danger'.(134)

Sydney remained relatively quiet until 30 and 31 October, when several disturbances occurred at the wharves and a number of labourers were assaulted and injured.(135) The violence stemmed from a split in the union ranks and the resentment many strikers felt against those who had recently returned to work.(136) With the strike collapsing, the government had decided to break up

(131). *Ibid.*, 6 Oct. 1890.

(132). *Carrington to Parkes*, 23 Sept. 1890, *Parkes Correspondence*, A920, Vol. 50, 249, ML.

(133). *Inspector General's Report on the Late Strike*, 631.

(134). *S.M.H.*, 20 Oct. 1890.

(135). *Inspector General's Report on the Late Strike*, 631.

(136). *S.M.H.*, 1 Nov. 1890.

the Dawes Point camp, although as a result of the disturbances 2 officers and 40 volunteers were authorised to transfer to Tattersall's stables in the city, to assist the mounted troopers.(137) Constant patrols were maintained to prevent further trouble(138) and by 6 November most unions had agreed to return to work on the employers' terms. The strike was broken by the surplus of unemployed labour which was available to capital and the government measures which prevented interference from the pickets.

On 14 November, Major-General Richardson suggested to Parkes that he should thank the Permanent Artillery for 'the cheerful, ready and thorough manner in which they aided the Civil Power throughout the strike'.(139) Shortly afterwards, the services of the special constables were no longer required and they were requested to leave their batons and badges at the Inspector General's office. The force was formally disbanded and thanked by the Premier for their services at a parade on 24 November.(140) Ironically, on the same day the government appointed a Royal Commission to inquire into the causes of strikes and the best means of preventing them.

(137). Inspector General's Report on the Late Strike, 631.

(138). S.M.H., 1 Nov. 1890.

(139). Richardson to Parkes, 14 Nov. 1890, Parkes Correspondence, A902, ML.

(140). S.M.H., 25 Nov. 1890.

VICTORIA.

The 1890 Maritime dispute resulted in the Victoria government, a conservative-liberal coalition under the leadership of Duncan Gillies, taking extensive measures against the strikers. These included calling out the colony's defence forces, enrolling hundreds of special constables and drafting extra police into Melbourne from the countryside, on the grounds of a possible threat to the maintenance of law and order. Government action was also partly the result of increasing nervousness amongst the middle classes, especially after it became clear that the country's largest unions were involved in the dispute, with the Age describing the workers' collective action as 'an unarmed insurrection of class against class'.(141)

On 18 August the dispute intensified, after members of the Seamen's Union met at Melbourne's Trades Hall and voted to support the action of the marine officers, by refusing to work aboard any steamers manned by non-union labour.(142) A meeting of 400-500 wharf labourers also agreed to ban the handling of cargo for vessels with non-union crews from 21 August, resulting in 18 vessels being laid up the following day.(143) There were fears that disturbances might occur at the wharves if blacklegs were engaged to unload these ships. The Police Commissioner, Hussey Malone Chomley, advised the country stations that additional men, armed 'with carbines and swords, would

(141). Rickard, **Class and Politics**. 23.

(142). Age, 19 Aug. 1890.

(143). **Maritime Strike 1890**, Alfred Deakin Papers, 1540/9/262, National Library of Australia, (NLA).

' possibly be needed in Melbourne' to police the strike.(144)

Large crowds of picketers thronged the wharves but no violence occurred. The strong force of police present made no attempt to move the strikers away. A small number of clerks were employed to unload perishable cargo from one vessel and their efforts were regarded with amusement by the crowd.(145) Victoria's constabulary had not been involved in policing an industrial dispute since the Lothair Mine riot in 1873, which was sparked by the police providing an armed escort for strikebreakers. Chomley was keen to avoid any similar confrontations and adopted a more conciliatory approach, which was criticised by both Capital and the Press. His low key methods worked well, until the government issued a proclamation (see p.145) on 29 August banning all unlawful gatherings on the wharves.(146) This warned the strikers against combining for the purpose of intimidation, in order to prevent others from engaging in their lawful occupation.(147)

A minor disturbance occurred on 25 August, after a large crowd gathered to abuse a gang of labourers engaged in unloading coal for the gas works from the Norkoowa. A small force of 40 police was stationed on the wharf and there was little trouble until after the men had finished work, when a number were

(144). Bob James, *Anarchism and State Violence in Sydney and Melbourne 1886-1896*. Newcastle, 1986, 94-5.

(145). *Age*, 22 Aug. 1890.

(146). Robert Haldane, *The people's Force*. Carlton, 1986, 116-17.

(147). *Proclamation by Governor Hopetoun*, 29 Aug. 1890, Series 1163, Box 237, File P90/3149, Public Record Office Victoria (PROV).

assaulted and chased through the streets.(148) The following day the strike escalated after 450 stokers employed by the city's Metropolitan Gas Company handed in their notice, after the directors refused to comply with union requests to accept only coal handled by union labour. As a result, the company quickly posted advertisements for new hands to replace the striking workers.(149) Around 1,000 employees from the West Melbourne, Collingwood and South Melbourne works also withdrew their labour shortly afterwards in support of the maritime unions.(150) Collective action by union pickets prevented the employment of suitably skilled men to replace the stokers, seriously threatening the city's gas supply. For example, on 28 August a 4,000-strong crowd completely surrounded the West Melbourne branch, which was now closely guarded by foot and mounted police.(151) Commissioner Chomley immediately ordered extra police into the city from the country districts.(152)

The reduced gas supply threatened to leave Melbourne in darkness and law and order became an important issue. On the evening of 28 August many streets were blacked out before eight o'clock and the Age claimed that unless action was taken within the next 24 hours, 'the whole illumination of the metropolitan area must fail'.(153) This created great anxiety amongst many residents, especially members of the middle class, as fears of a crimewave and

(148). Age, 26 Aug. 1890.

(149). Ibid., 27 Aug. 1890.

(150). Ibid., 28 Aug. 1890.

(151). Ibid., 29 Aug. 1890.

(152). James, 95.

(153). Age, 29 Aug. 1890.

attacks on citizens and property increased. The government faced increasing pressure to ensure that major disorder and lawlessness did not occur as a result of industrial action.

That evening the colony's permanent forces were ordered into the city. It was in Victoria where the largest military force would be called out in aid of the civil power during the strike, as the government prepared for a possible confrontation with the unions. Major Daniel, accompanied by two officers and 60-70 non-commissioned officers and men of the Permanent Artillery, arrived in Melbourne by train from Queenscliff Fort. The artillerymen stationed at Port Phillip Heads had been held in readiness for several days in case they were required, along with other forces in the outports. Members of the Torpedo Corps were also standing by to provide assistance if needed.(154) Each soldier was issued with a card outlining his authority to act, along with a copy of the Riot Act.(155) The Victorian Artillery had a total strength of only 233.(156) Between August and October, a large proportion of the Corps were withdrawn from the Heads and quartered at Victoria Barracks in Melbourne. The troops reinforced the detachment which was permanently stationed in the city, whose duties included guarding the barracks and Government House.(157)

The Government had taken the extreme measure of calling out the

(154). S.M.H., 29 Aug. 1890.

(155). Ibid., 30 Aug. 1890.

(156). Strength of Victorian Military Forces, 30 June 1890. Report of the Council of Defence, Vic. Parl. Papers (VPP) Vol 5, 1891, No. 132, 15.

(157). Ibid., 8-9.

military, even though no major disturbances had occurred and the civil authorities were in control of the situation. The odd blackleg had been punched and faced intimidation but this was fairly routine in disputes of this nature and normally would not warrant intervention by the Permanent Artillery. The fact that military forces were not present to control violence indicates that their main purpose was to provide a coercive force in order to break the strike. The union pickets had succeeded in preventing the forces of Capital from obtaining sufficient blackleg labour to work the shipping in port and blocked the city's supplies of gas and coal. On 29 August orders were issued for a second larger military force to proceed to Melbourne. Union leaders believed that the forces of the State were being gathered to intimidate legitimate trade union activity and to scare people out of attending a mass union rally planned by the Committee of Finance and Control for 31 August.

In the course of a debate on Australia's Draft Constitution in 1897, Alfred Deakin explained the government's reasons for military intervention during the strike. As Chief Secretary, he had received police reports warning of possible major disturbances by the criminal classes which the police lacked the resources to cope with. There was no threat of serious violence from the strikers. Reports suggested that as a result of the labour unrest, warehouses in Flinders Lane and shops stocking arms and ammunition might be targeted. This would make it difficult for the police to maintain order on the wharves. The Chief Commissioner and several heads of department were questioned by Cabinet and in their opinion the forces currently available to the Government were insufficient to cope.(158)

(158). Deakin in *Vic. Parl. Debates (VPD)*, Vol. 86, 1301-02, 12 Aug. 1897.

'Large gatherings were being held, at which hundreds, and in many cases thousands of people attended, and in connexion with them and the wharf gatherings of crowds the whole available force of the police would be required without providing for new dangers'.(159)

The announcement of union plans to hold a mass rally, a legitimate form of collective action which would enable the strikers to present their case to the public, appeared to frighten the Government into panic measures.(160) On 29 August W. Murphy, secretary of the strike committee, asked the Acting-Minister of Lands for permission to hold the rally in the Friendly Societies' gardens. Dr. Pearson refused the request on the grounds that the government wished to remain 'neutral' in the dispute and therefore could not allow the gardens to be used.(161) Union leaders quickly changed the venue to nearby Flinders Park, where the government was unable to prevent any public meetings from being held, unless the park's trustees requested them not to do so. A proclamation was immediately issued by the government, warning the strikers against assembling in the streets and other public places, and threatening that anyone who violated the law 'would be rigorously punished'.(162)

Governor Hopetoun of Victoria wrote to Carrington, Governor of New South Wales:

'The strike here is a most serious matter. I trust it may pass off...but

(159). *Ibid.*, 1302.

(160). W.G. Spence, *Australia's Awakening*. Sydney, 1909, 93.

(161). *Age*, 30 Aug. 1890.

(162). *Alfred Deakin Papers*, 1540/9, 265, NLA.

one can never tell as it is such a chance for the dangerous classes to make their presence felt...I have talked the matter (over) quietly with Mr. Gillies who seems determined to do all that is necessary to uphold the Law'.(163)

On 29 August the government took further action against the strikers. Major-General Tulloch, Commandant of Victoria's Military Forces, Captain Mann, the Naval Forces Commander, and Chief Commissioner Chomley, arrived in response to an urgent summons from James Bell, the Minister of Defence. Bell wished to discuss 'the propriety of enlisting the services of the Mounted Rifles and Victorian Rangers and cavalry in the preservation of law and order and the protection of property'.(164) Defence authorities had expressed doubts as to whether the Governor had the power to call out any of these forces for MACP duties. The opinion of crown law officers was sought and they advised that as the troops had sworn an oath 'to cause Her Majesty's peace to be kept', the mounted infantry and cavalry could be called upon if required.(165) Victoria, unlike Queensland and Canada, had no clauses in the Discipline Act of 1883

(163). Hopetoun to Carrington, 29 Aug. 1890. (Brackets mine)

(164). Age, 30 Aug. 1890.

(165). Ibid.; T.B. Millar, 'The History of the Defence Forces of the Port Phillip District and Colony of Victoria, 1836-1900', M.A. Thesis, Univ. of Melbourne, 1957, 168.

'providing for calling out the militia in aid of (the) civil power'.(166) The meeting agreed to recommend to Cabinet that these detachments should be ordered to Melbourne. The consultation was subsequently joined by Councillor Lang, Melbourne's Mayor, and Fitzgibbon, the Town Clerk.(167) Bean, chairman of the Metropolitan Gas Company, was also present at some stage of proceedings,(168) which indicates that the government was responding to calls from Capital to break the strike. Lang and Fitzgibbon announced that special constables were currently being sworn in at the Town Hall and suggested that arrangements should be made for the police, specials and military forces to operate together in the event of an emergency. Accordingly, both Commandants agreed to consult with the Police Commissioner during the crisis. Cabinet decided to call out 200 Mounted Rifles, 100 Victorian Rangers,(169) detachments of Cavalry and Horse Artillery, along with 50 infantry from the 1st and 2nd Battalion Victoria Rifles.(170)

The government was unwilling to rely on the permanent force alone to handle the situation. There may be several reasons for this. Firstly, the colony's fulltime professional soldiers were too few in number to assist the police in the event of widespread disorder. Secondly, a mounted force was

(166). Vic. Defence Secretary to A.A. General, N.S.W., 17 Sept. 1890, CRS B3756, 1890/2857, AAV.

(167). Age, 30 Aug. 1890.

(168). Alfred Deakin Papers, 1540/9, 265, NLA.

(169). Age, 30 Aug. 1890.

(170). Collins to Gillies, 3 Sept. 1890, Series 1163, Box 237, File P90/3133, PROV.

recognised as an effective means of controlling large gatherings and dispersing unruly crowds. (See p. 21.) The Victorian Rangers and Mounted Rifles were both volunteer corps and had a combined strength of 1,905 men, comprising over one-third of Victoria's total military forces of 5,351.(171) The Mounted Rifles, under the command of Colonel Tom Price, were armed with .45 Martini Henry rifles and sword bayonets.(172) Price had recruited the Rangers from rifle clubs in 1888,(173) and also raised the first body of mounted riflemen in the country districts three years earlier.(174) The mounted infantrymen were skilled riders and shooters, with each recruit supplying his own horse, saddle and uniform.(175) An annual capitation grant was available to assist with expenses, while railway transport and horse feed were provided during the annual Easter camps and whenever the corps paraded in Melbourne.(176)

The few surviving muster rolls for the Mounted Rifles indicate that almost half the force were graziers or farmers, mostly in the 25-35 age bracket. White collar occupations were also well represented along with the professions, including those of teacher, architect and solicitor. Only a small number of occupations are listed which might involve membership of a trade

(171). Strength of Victorian Military Forces, 30 June 1890. Report of the Council of Defence, VPP, Vol. 5, 1891, No. 132, 15.

(172). Winty Calder, *Heroes and Gentlemen*. Melbourne, 1985, 39.

(173). *Ibid.*, 20.

(174). *Ibid.*, 7.

(175). *Ibid.*, 19.

(176). *Ibid.*, 41.

union, including those of miner, labourer and carter.(177) Perhaps this explains why a number of the corps assembled in Melbourne were drafted from the country districts. These troops were possibly considered to be more reliable than their urban counterparts, because they were less likely to have trade union affiliations. In the event of a riot, the part-time soldiers could be required to charge or to shoot at the crowd, and would be more likely to obey such an order if no family or friends were facing them.

The Rangers were assigned to assist the police in street duty, while the Mounted Rifles and Cavalry were deployed to protect various public buildings and establishments. These included Parliament House, the Mint, the Post Office and railway stations. The Government decided that the mounted forces should not be brought into contact with the crowd, unless required to assist in quelling a major disturbance.(178) The politicians were possibly afraid that their presence might inflame the situation and antagonise the strikers into committing acts of violence. This also lends weight to the argument that one of the reasons for the call out was for the purpose of intimidation, rather than active policing. The military forces were not permitted to leave the barracks or to parade in the streets unless ordered to do so. Deakin observed that 'it is not desired in any way to excite the populace by their presence in the city'.(179)

The Mounted Rifles were drawn from A, E and F companies of the 1st Battalion (see Map Four) and billeted in Victoria Barracks. Each soldier was

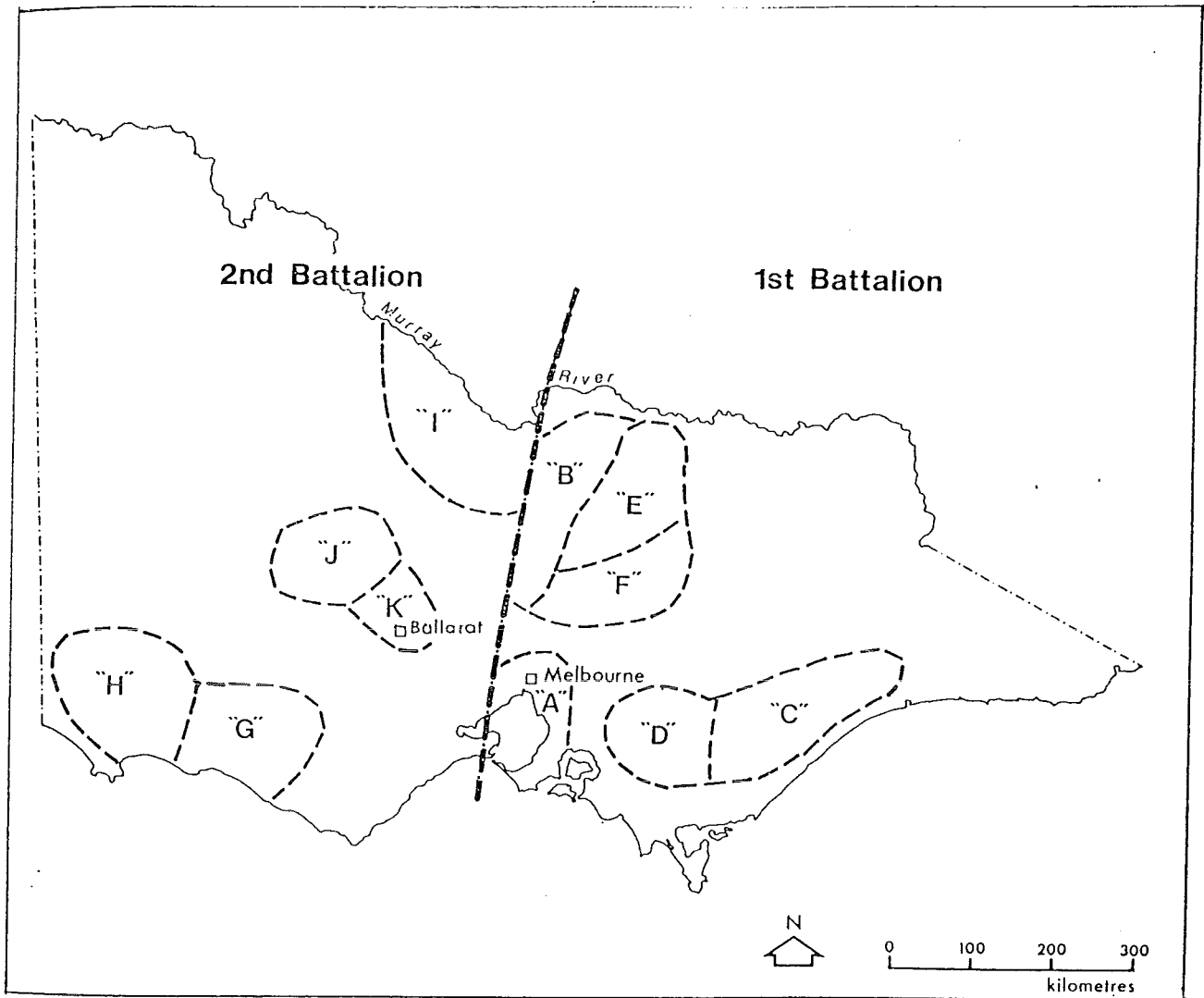
(177). Ibid., 32-3.

(178). Age, 30 Aug. 1890.

(179). Alfred Deakin Papers, 1540/9, 266, NLA.

Map Four.

Areas Covered By Companies and Battalions
of Victorian Mounted Rifles, 1891.



Source: Winty Calder, *Heroes and Gentlemen*.

Melbourne: Jimaringle Publications, 1985, 28.

fully armed, having been issued with 40 rounds of ball cartridge.(180) The regiment was called out for 9 weeks, during which time 708 men of all ranks went through a course of 'training' lasting 1-2 weeks.(181) Meanwhile, the first task for the Victorian Rangers was to relieve the Permanent Artillery guarding the Maribynong powder magazine.(182) By the evening of Saturday, 30 August the military forces assembled in Melbourne totalled 625 officers and men. The Commandant expressed satisfaction 'at the readiness with which the men responded to the summons'.(183) A general order was issued to the troops, stating in part:

'It having been considered necessary in the public interest that a certain number of the Victorian Military Forces should be held in readiness to assist the civil authorities in the maintenance of law and order, the Major-General commanding, acting under authority, issued the necessary instructions'.(184)

To assist the military and the police forces, 1,000 special constables were sworn in by 30 August under the Unlawful Assemblies and Processions Act

(180). *Age*, 1 Sept. 1890.

(181). Report of the Council of Defence, *VPP*, Vol. 5, 1891, No. 132, 12.

(182). *Age*, 1 Sept. 1890.

(183). *Collins to Gillies*, 3 Sept. 1890, Series 1163, Box 237, File P90/3133, PROV.

(184). Victorian Military Forces, *General Order* 357, 30 Aug. 1890.

of 1890.(185) Under Section 13, Justices could appoint special constables in cases where a riot or felony had taken place or may be reasonably apprehended. A Justice had to be satisfied that the regular police force was not sufficient for the preservation of peace, the protection of local inhabitants and the security of property.(186) The government also compiled a list of over 500 officers from its various departments who were willing to act as specials.(187) Volunteers were issued with a baton and an identification badge to be worn on the sleeve and boasted the same powers as police constables. Most were white collar workers from city houses and included clerks, businessmen and lawyers. They were formed into 6 companies, each electing its own officers, and placed under the command of Inspector Pewtress.(188)

The Unlawful Assemblies Act corresponded with the Riot Act in that its general purpose was to provide a mode of proceeding in order to disperse a riotous gathering of 3 or more people.(189) Section 6 authorised the reading of the Riot Act by a magistrate and anyone who remained after 15 minutes was guilty of a misdemeanour. Under common law a magistrate could order the military to quell a riot. On the other hand, if a riot occurred and the magistrate issued no order to fire or made no use of the military forces which were available at the time, this was deemed to be criminal neglect of duty.

(185). *Age*, 1 Sept. 1890.

(186). *Unlawful Assemblies and Processions Act 1890*, 54 Vict. No. 1152, 4.

(187). *Special Constables*, Series 1163, Box 237, File P90/3281, PROV.

(188). *Age*, 1 Sept. 1890.

(189). Under British law, 12 people constituted a riotous assembly.

The military were authorised to act without the order of a magistrate but it was not considered prudent to do so.(190)

At 5:30 p.m. on Saturday, 30 August Major-General Tulloch issued orders for dealing with any disturbances resulting from the mass union rally planned for the following day. The military forces would comprise two columns, the first under Colonel Price's command consisting of the Victorian Cavalry, half the Permanent Artillery and half the Mounted Rifles. The remaining forces formed the second column under Major Daniel of the Permanent Artillery. In the event of the troops being called out, the Cavalry would proceed first, followed by the Artillery and 2 companies of Mounted Rifles.(191) A Magistrate, C. Shuter, would accompany the soldiers and if necessary read the Riot Act.(192) If the crowd refused to disperse and the soldiers were ordered to shoot, in accordance with the Queen's Regulations:

'those firing should aim low and on no account fire over their heads.

The guilty would then escape and perhaps innocent people behind be injured'.(193)

Tulloch instructed the officers to ensure that the troops understood these orders, although Colonel Price's remarks later caused a public uproar after he allegedly exhorted his men to 'silence any 'disturbers of law and

(190). Notes on the Unlawful Assemblies and Processions Act 1890, Series 1163, Box 237, File P90/3149, PROV.

(191). Calder, 61.

(192). Victorian Military Forces, General Order 357, 30 Aug. 1890.

(193). Vincent's Police Code, 326, Series 1163, Box 237, File P90/3149, PROV.

order'' (meaning unionists) by firing low and laying them out'.(194) Bell, the Defence Minister, believed that Colonel Price had acted in an 'indiscrete and unjustifiable manner'(195) and instructed Tulloch to ask for an explanation. At a meeting of the Trades Hall Council, a resolution was passed calling for Price's resignation or his removal from Melbourne.(196) Price defended his actions on the grounds that his men were ignorant of the duties connected with providing MACP. In accordance with the regulations, he had ordered the troops to 'fire low' in the event of orders being issued to shoot. Regarding the words 'lay them out', Price explained that this was a term commonly used by his men and referred to disablement rather than death.(197) The Defence Minister accepted his explanation, although Price still had to face a Court of Inquiry before finally being exonerated. The Price affair was important because it reinforced the view commonly held by the working class that the military were tools of the wealthy and privileged classes and their role was primarily to defend the interests of Capital.

If it was the government's intention to intimidate the unionists into cancelling the mass meeting in Flinders Park, by bringing together a large coercive force, then it was unsuccessful. On Sunday afternoon, 31 August a large crowd of men, women and children, estimated to number around

(194). *The Bulletin*, 4 Oct. 1890.

(195). *Age*, 27 Sept. 1890.

(196). *Ibid.*

(197). *Alfred Deakin Papers*, 1540/9, 258, NLA.

(198). *Age*, 1 Sept. 1890.

50,000,(198) turned out in defiance of the Government's Proclamation. The meeting's chairman, W.J. Carter, a labour representative, told the gathering that their good conduct would provide 'a complete answer to the alarmist action that had taken place on the part of the authorities'.(199) The crowd was extremely aware that 'within a few minutes' gallop were the mounted and armed militia, and the speakers showed that they bitterly resented what they took to be intimidation'.(200) Meanwhile the Age reported that:

'A continental gathering would have demanded the presence of at least a regiment of the line, with bayonets fixed and perhaps a little park of artillery. Here a few constables constituted the only sign of Government intervention'.(201)

While it is true that in Europe a large workers' meeting held in defiance of a government proclamation would most likely be heavily policed and broken up, the Age ignored the fact that the presence of a well-armed force which included cavalry, being held in readiness only a short distance away, was also extremely intimidating.

During the course of the meeting the military remained confined to barracks and there was to be no intervention unless the Police Commissioner called for assistance. In the event of a call out, any orders to shoot would be issued by the Commandant.(202) During the afternoon, Colonel Price

(199). Age, 1 Sept. 1890.

(200). J.A. La Nauze, **Alfred Deakin**. Vol. 1. Carlton, 1965, 128.

(201). Age, 1 Sept. 1890.

(202). La Nauze, 132.

allegedly despatched a number of messages from Victoria Barracks to the police commander, asking 'where he should draw up his men'.(203) The police responded by 'begging him to keep his soldiers out of sight altogether', (204) which he did. Ultimately, the afternoon's proceedings remained peaceful and the police, who were stationed in sections of 20-30 on the edge of the crowd, (205) had very little to do. The following day Governor Hopetoun informed Lord Knutsford, Secretary of State for the Colonies, that a body of troops were 'in readiness for instant employment should a serious emergency arise'.(206)

One of the legal issues to arise during the strike was whether the choice of weapon to be used in the event of a riot lay with the military officer in command, or with the magistrate assigned to accompany the troops.(207) The 'Instructions for Magistrates' stated that 15 minutes after the reading of the Riot Act, if order could not otherwise be restored, the magistrate should sign an order for the commanding officer to 'charge the mob with drawn swords, or fixed bayonets, or truncheons, or to fire on the mob'.(208) Tulloch told Robert Collins, the Secretary of Defence, that 'he had

(203). Haldane, 117.

(204). John Sadleir, *Recollections of a Victorian Police Officer*. Ringwood, 1973, 264.

(205). *Ibid.*, 263.

(206). Hopetoun to Knutsford, 1 Sept. 1890, Col. Office Despatches, PRO 2063, AJCP, ML.

(207). Tulloch to Collins, 6 Nov. 1890, C.R. Series B3756, 1890/3395, AAV.

(208). *Instructions for the Guidance of Magistrates*, CRS B3756, 1890/3395, AAV.

never before heard such a question raised'.(209) In Tulloch's opinion the officer must decide which weapon to use, because it was his responsibility to ensure that the crowd was dispersed as humanely as possible. If the decision was left to the magistrate, it would give him 'executive military command' and this was not the intention of the law. There was also the danger that the magistrate might select the wrong weapon, thereby making it 'imperative' for the officer to ignore his instructions.(210)

The question was referred to John Gurner, the Crown Solicitor, for further consideration. In his opinion, the order issued by the magistrate should be adapted to whatever measures he thought were necessary. By ordering the military to act, the magistrate assumed much of the responsibility, although if the measures being called for were too harsh, then the officer should refuse to execute them. The officer could also take 'more severe measures than those ordered by the Magistrate or...act apart...and take his own measures', however Gurner believed that it would be 'very unwise for the officer...to incur the very great risk and responsibility which this entailed'.(211) Tulloch felt that the Crown Solicitor's opinion left the question 'where it was', and being an imperial officer recommended to Collins:

'As the reference to swords, bayonets, truncheons (which soldiers never carry) or firing are different to the instructions given in the United

(209). Tulloch to Collins, 6 Nov. 1890, CRS B3756, 1890/3395, AAV.

(210). Ibid.

(211). Opinion of Counsel (John Gurner), 17 Nov. 1890, CRS B3756, 1890/3395, AAV.

Kingdom might I suggest that the matter be referred home'.(212)

Collins replied that in the opinion of the Defence Minister it was unnecessary to do so, since 'the question is one of local concern...and the colony is a self-governing one'.(213)

The city streets were quiet in the days following the arrival of the military forces and mounted patrols were conspicuous in having very little to do.(214) Tulloch ordered the troops to take advantage of an opportunity to practise their drill in Albert Park. This may also be regarded as a form of intimidation, since the military forces deliberately maintained a high public profile while training which would remind the strikers of their presence. The soldiers needed police protection since they had to pass through the periphery of South Melbourne in order to reach the park. Groups of working-class youths gathered to verbally abuse the troops, as well as to shower them with pieces of road metal,(215) an activity which was not uncommon during this period. For example, a great deal of animosity existed in Sydney between the military and groups of young larrikins aged 12-18 years known as the 'pushes'. On one occasion, a small group of artillerymen came into contact with the Cow Lane push in the vicinity of Haymarket Street. A fight broke out and the youths administered a beating to the soldiers. This resulted in a large number of military patrolling the streets for several nights and

(212). Tulloch to Collins, 30 Dec. 1890, CRS B3756, 1890/3395, AAV.

(213). Collins to Tulloch, 30 Dec. 1890.

(214). Age, 2 Sept. 1890.

(215). Calder, 62.

starting fights with civilians. The police suggested that one way of dealing with the problem was to introduce regulations to prohibit the military from visiting certain localities, as was the case with the navy.(216)

The defence forces remained on standby, ready to reinforce the police who were busily engaged protecting free labour. This strengthened Trades Hall's opinion that the main role of the military was to intimidate their members. On 2 September up to 100 police and mounted troopers were on duty at the wharves, while the law prohibiting unlawful assemblies was strictly enforced. This allowed the steamer Moonwai to be unloaded without any interference from the strikers. The enrolment of special constables also continued, with the total now standing at around 2,000. That evening in Parliament, W. Trenwith, a labour representative, condemned government intervention in the strike. He argued that its action 'in calling out the military, sending a force of police to overawe the unionists at a mass meeting, and placarding the walls with proclamations warning the citizens against riotous conduct', was insulting to the majority of people 'who were remarkably law abiding'.(217) Most unionists felt that government action 'had espoused the cause of Employers'.(218) In a letter to W.E. Murphy, one unionist argued that it was unfair and 'degrading to respectable workmen to have their meetings broken into by mounted troopers and the men themselves forced to remain any particular side of a street pointed out by the

(216). Supt. Larkins to Insp. General, 19 June 1900. NSWVP, 1900, Vol. 2, 809-10.

(217). *Age*, 3 Sept. 1890.

(218). W.E. Murphy Papers, 3 Sept. 1890, MSS 308/10, ML.

police'.(219)

Government intervention resulted in the breaking of the maritime strike, since the pickets were unable to prevent employers from recruiting non-union labour from the large pool of jobless in the colony. Large numbers of police and the presence of the military in the city to discourage violence ensured that no effective action by the strikers was possible, allowing blacklegs to work without fear of intimidation. For example, on 8 September mounted police kept the pickets off the wharves and forced the public to pass along the opposite side of the road, while ships were unloaded by blacklegs.(220) The following day the police patrolled both banks of the Yarra, to protect at least 200 men who were employed to work 8 vessels manned by non-union crews. The work on the wharves was slow and tedious, because most of the men were unskilled in handling cargo. Approximately 5,000 tons of coal had been unloaded in the past fortnight, at a port which usually handled 13,000 tons per week.(221) The coal enabled the gas companies to continue to supply the city and fears of a crime wave were not realised. The West Melbourne Gas Works was no longer troubled by union pickets and non-union stokers were able to work freely. By mid-September the Strike Committee in Melbourne was calling for a conference with the employers(222) but they were unwilling to negotiate.

It now appeared that direct military intervention against the strikers was unlikely to be necessary but precautions were still being taken to ensure

(219). *Ibid.*

(220). *Age*, 9 Sept. 1890.

(221). *Ibid.*, 10 Sept. 1890.

(222). *Ibid.*, 17 Sept. 1890.

that the authorities remained in control of the situation by maintaining a strong military presence in Melbourne. Following an inspection of the Victorian Rangers, Horse Artillery and Mounted Rifles in Albert Park, Major-General Tulloch told the troops that he was satisfied with their work and conduct during the strike. Although each corps was given orders to return home, replacements were despatched in order to retain the present military strength.(223) The cost of keeping 600 men under arms and providing forage for 200 horses was £3,500 a week, with privates receiving ten shillings per day and officers up to one pound. The government was forced to advance money from Treasury to meet these expenses,(224) as a result of the military being called out for a total of 9 weeks. The threat of violence had still not completely passed with the odd minor incident taking place. For example, on 18 September 700 stevedores' labourers refused to handle cargo aboard ocean-going vessels sailing from Sydney and voted to strike.(225) A gang of blacklegs were later attacked on Port Melbourne pier, after employers disregarded police advice against taking them onto the wharves unprotected.(226)

By 21 October the military forces were gradually being reduced, although a small detachment remained on duty in case of further disturbances.(227) Major-General Tulloch placed on record 'the admirable conduct of the men

(223). *Age*, 13 Sept. 1890.

(224). *Brisbane Courier*, 9 Sept. 1890.

(225). *Age*, 19 Sept. 1890.

(226). *Ibid.*, 13 Oct. 1890.

(227). *S.M.H.*, 22 Oct. 1890.

called out on permanent duty during the strike'.(228) The Melbourne City Council also thanked the Government for the 'wise, firm, and effectual action taken for the maintenance of order in the City during (the) recent time of trouble'.(229)

(228). Council of Defence Report, VPP, 1891, Vol. 5, No. 132, 8.

(229). **Fitzgibbon to Premier**, 17 Nov. 1890, Series 1163, Box 246, File P90/4051, PROV. (Brackets mine).

QUEENSLAND.

The maritime strike extended to the colony of Queensland with the decision by the maritime unions to stop work in sympathy with the marine officers. On 15 August, officers aboard the steamers Aramac and Arrawatta berthed in Brisbane, gave notice of industrial action as directed by the Marine Officers' Association. The secretary of the Brisbane Seamen's Union also warned the masters that if any vessels sailed without union officers aboard, the seamen and firemen would also be withdrawn. That evening, the Brisbane district council of the Australian Labour Federation (ALF) met to discuss what action it should take and members came out strongly in support of the marine officers. A mass meeting of unionists on 18 August voted to strike, after union representatives failed to persuade the employers to accede to the officers' demands.(230) A feature of the maritime dispute was the lack of leadership displayed amongst the Labour ranks in Queensland. The maritime council called the strike and it was agreed that the dispute would be administered by a joint committee, however it had to compete with a number of other bodies. On 11 September control of the strike shifted to the intercolonial Labour Defence Committee in Sydney, which contained 4 Queensland representatives. A third body, the general council of the ALF, was also involved in the operation of the strike, while Labour could not agree on the tactics to be employed and what its goals were.(231)

The dispute occurred at a time when Queensland employers were poorly

(230). Sullivan, in Murphy (ed.), *The Big Strikes*, 70.

(231). *Ibid.*, 71.

organised. Their Association only started to form a union of all colonial employers in July 1890, following apprehension at the rapid growth of the ALF and reduced profits which signalled a downturn in the economy.(232) By 19 August there were approximately 640 maritime workers on strike in Brisbane. The owners continued to work the vessels in port using non-union labour, mostly clerks, under the protection of a small number of police. Volunteers loaded and partly manned the Fitzroy, watched by pickets gathered outside the wharf gates. The ship was able to sail for Rockhampton on 21 August,(233) assisted by the decision of the Brisbane branch of the Australian Institute of Marine Engineers not to strike.(234) The strike was proving ineffective, as several days later the A.U.S.N. Company's Birksgate also departed the port.(235)

The strike committee met on 21 August and decided to seek the support of the London Dockers' Union, by requesting that it blockade the British-India Company vessels.(236) Later that week, the Employers' Union also met to discuss the issue of police protection on the wharves. This indicates that the employers intended to increase their operations and anticipated strong opposition from the union pickets. A deputation to Tozer, the Colonial Secretary, was assured that the government would move quickly 'to quell any

(232). *Ibid.*, 67.

(233). Coghlan, *Labour and Industry in Australia*. Vol. 3,(Oxford, 1918), 1602.

(234). Sullivan, in Murphy (ed.), 71.

(235). *S.M.H.*, 25 Aug. 1890.

(236). *Ibid.*, 22 Aug. 1890.

appearance of a riot'.(237) As a result 46 police, including 10 mounted troopers, were on duty on 25 August for the purpose of intimidation, prior to the expected departure of the Burwah. Special water constables had also been sworn in, while foot specials would be recruited by the Police Magistrate for street duty if required,(238) in order to reinforce police ranks.

In the outlying ports, measures were also being taken against the strikers. On 25 August, a number of special constables were sworn in at Cooktown, while the local Naval Brigade was also called out but only 16 men responded. One member who refused to serve was the secretary of the Wharf Labourers' Union, who claimed that the call out was a display of force which was intended to intimidate the strikers. That morning 12 police, assisted by almost twice as many specials and members of the Naval Brigade, guarded Cooktown's Courthouse while the Police Magistrate served 25 summonses on the crew of the Arrawatta, for being absent without leave from their vessel.(239) The Merchant Shipping Act was one of the useful pieces of legislation available to employers, when seeking the support of the law against the unions.(240) Markey notes that arrests for absence without leave, or other clauses of the Act occurred frequently during this period, with 348

(237). *Ibid.*, 26 Aug. 1890.

(238). *Ibid.*

(239). *Ibid.*

(240). The **Master and Servants Act** was also used against the unions in the 1880's and 1890's. For example, in 1890 shearers were imprisoned, fined and forfeited wages for breach of contract. Markey, *The Making of the Labor Party in New South Wales 1880-1900*, 123.

convictions in New South Wales in 1887.(241) At Cooktown, the cases were adjourned until the following day, with a number of the crew intimating that they would refuse to appear in court to answer the charge. Such action would necessitate the execution of warrants and increased the likelihood of a violent confrontation. As a precaution, the Naval Brigade was ordered to remain under arms and each member was issued with ammunition.(242)

The following morning a solicitor, Barnett, told the court that Captain Hampton wished to withdraw the charges against the officers and crew of the Arrawatta, because the men had since returned to the vessel. Barnett argued that the only punishment called for was the forfeiture of 4 days' wages. The crew, who were all present in court, agreed to accept a fine and the charge of being absent without leave was withdrawn. Afterwards, the Naval Brigade were marched into court and addressed by the Magistrate, who told them that 'their appearance under arms had exercised a very beneficial influence on evildoers, and they had proved their willingness to serve their country'. The ship sailed from Cooktown at five o'clock that evening.(243)

During the maritime dispute the State frequently used the legal system, along with the police and military forces, to suppress popular discontent. In another case, the crew of the Archer were imprisoned in Townsville for one month after leaving their vessel without permission. On 11 October a mass meeting was held in Brisbane to welcome the men back. Although the mayor had refused a request from labour representatives to hold a parade through the

(241). *Ibid.*, 124.

(242). *S.M.H.*, 26 Aug. 1890.

(243). *Ibid.*, 27 Aug. 1890.

streets, an illegal march took place after the meeting. Two unionists were later convicted for participating in this collective action. Each was fined £10, otherwise they would spend 2 months in gaol.(244)

In Brisbane, the Burwah finally left port on 26 August bound for Maryborough and Rockhampton. A crowd had gathered to support the owners and their cheering was answered by hooting from the pickets outside the wharf. A large number of police, some of them mounted, were present but there was no violence. Approximately 150 extra police had been drafted in from the country, while the Permanent Force was placed on standby.(245) The military became involved in policing the dispute the following day, with a General Order for guards from various corps of the Defence Force to be placed at the drill sheds and magazine.(246) This was a precautionary measure to protect arms and ammunition, to ensure that these did not fall into the hands of the strikers. The guard consisted of one non-commissioned officer and six men from the ranks of the Brisbane Field Battery and the Brisbane Engineers; the Moreton Regiment; the Queensland Volunteer Rifles; the Moreton Mounted Infantry; and the Permanent Force. Each soldier was issued with 20 rounds of ball cartridge.(247)

In addition to the military precautions, over 100 special constables, 'principally...powerful footballers and other athletes', were sworn in and

(244). *Ibid.*, 18 Oct. 1890.

(245). *Ibid.*, 27 Aug. 1890.

(246). *Brisbane Courier*, (B.C.), 29 Aug. 1890.

(247). *Ibid.*

issued with batons.(248) Meanwhile, around 1,000 members of the Employers' Association gathered outside the Treasury Buildings, while delegates met with Tozer to urge the government to keep the streets clear of union pickets and to protect non-union labour. The Colonial Secretary had issued instructions for the police to arrest anyone loitering in the streets. He believed that any danger of organised resistance had now passed, although the government was taking precautions to prevent any serious outbreaks of violence.(249)

By 28 August, approximately 1,000 workers were on strike in Brisbane, while the total for Queensland stood at around 1,500.(250) The Governor of Tasmania, Sir G.R.C. Hamilton, who was presumably visiting Queensland at this time, described the state of affairs in the colony:

'Precautions are being taken for the preservation of the peace by the drafting in of a large number of mounted police...The strikers are very determined, but on the whole are quiet and good tempered'.(251)

Although no serious trouble was expected, Hamilton believed that the strike would be 'a protracted one'.(252) On 6 and 8 September, violent clashes occurred in the vicinity of the shipping company offices where non-union labour was being recruited, resulting in the government taking measures to

(248). Sullivan, in Murphy (ed.), 75.

(249). B.C., 29 Aug. 1890.

(250). Coghlan, Vol. 3, 1602.

(251). Hamilton to Carrington, 30 Aug. 1890, Parkes Correspondence, A886, Vol. 16, 219-20, ML.

(252). Ibid., 221.

guard company property and to provide increased protection for blacklegs. This allowed cargo to be continued to be loaded and discharged onto the wharves, from undermanned vessels operating between the ports.(253)

One of the busiest areas of Brisbane's port were the coal wharves, with a total of 4,411 tons being shipped from 8-12 September.(254) By mid-September, the ranks of non-union labour had increased to the extent that Howard Smith and the AUSN Company boasted around 900 men at sea between them, with many vessels being fully manned. In addition, another 230 non-union labourers were working on the wharves.(255)

Queensland's workers were divided over the maritime strike. For example, the ALF general executive's call for a levy and donations of union funds was not popular with many unionists. Members of the Gympie branch of the AMA argued that 'the marine officers were not entitled to the support of labour organisations', while a levy imposed in Charters Towers was generally ignored.(256) Calls for a general strike on 16 September were also rejected by many northern unions, including the Charters Towers Miners' Union. In September, a strike injunction by the Labour Defence Committee in Sydney was also repudiated by the Queensland Shearers Union. The growing confusion resulted in a meeting of the ALF general executive on 27 September to discuss the call out of the shearers and other bush unions, and shortly afterwards the

(253). Coghlan, Vol. 3, 1602-03.

(254). S.M.H., 13 Sept. 1890.

(255). *Ibid.*, 15 Sept. 1890.

(256). Sullivan, in Murphy (ed.), 72.

bush strike was abandoned. The ALF had disengaged itself from the militancy of the maritime council and the intercolonial Labour Defence Committee. During October the ALF sought a return to work, due to exhaustion of funds after paying out £15,000 in strike pay. Following a number of Joint Committee meetings, the strike was abandoned in Queensland on 27 October, the first colony to end the struggle.(257)

(257). Ibid., 73-4; D.J. Murphy, 'Queensland', in D.J. Murphy (ed.), *Labor in Politics*, 142.

SOUTH AUSTRALIA.

The crucial event of 1890 in South Australia was the maritime strike. The dispute commenced in the colony during a quiet period when few ships were in port.(258) On 21 August 1890, the wharf labourers' and seamen's unions struck in support of affiliated unions in other colonies.(259) Walker(260) argues that labour in South Australia was better organised than in Victoria and New South Wales, because almost a month after the blockade had been imposed at Port Adelaide, the employers had still made no attempts to utilise non-union labour to work these vessels. Finally, on 18 September shipping clerks employed by the Adelaide Steamship Company were ordered to transfer cargo from the steamer Ferret to a waiting German liner. While the strikers censured the clerks for their action, the work was allowed to proceed without any disruption or violent disturbances.(261)

During the strike, the position of the government was to remain neutral and avoid being drawn into the conflict,(262) in marked contrast to the partisanship displayed by other colonial governments, especially Victoria's. The Playford Ministry took office on 19 August, only 2 days before the dispute reached South Australia. The new Premier was anxious not to provoke the

(258). Coghlan, *Labour and Industry in Australia*, Vol. 3, 1603-04.

(259). Robin Walker, 'The Maritime Strikes in South Australia, 1887 and 1890', *Labour History*, No. 14, May, 1968, 6.

(260). *Ibid.*, 3.

(261). *N.M.H.*, 19 Sept. 1890.

(262). Walker, 8.

unionists into committing any acts of violence, and consequently only a small number of police were stationed at Port Adelaide. The pickets understood that the strength of the force would not be increased, provided they remained within the law.(263) This policy angered the Employers' Union because it halted intercolonial shipping and discouraged the introduction of non-union labour without adequate protection. John Turnbull, manager of the Adelaide Steamship Company, complained to the Police Commissioner that he had not received any reply to his request for police protection to discharge coal from the Enterprise, 'especially as it was required for Government purposes'.(264)

By 26 August around 1,000 workers were on strike in Adelaide, however affairs at the port remained quiet.(265) The Sydney Morning Herald reported that 'it is noticeable that more men are about the streets'.(266) While the intercolonial steamers were laid up almost immediately upon berthing, work was allowed to continue on the sailing ships and smaller coasting steamers, which were being unloaded by their crews.(267) On 3 September Hopkins, a labour representative in the Legislative Assembly, asked whether the Government intended to order mounted troopers to Port Adelaide, as was the case during the maritime strike in 1887. The Chief Secretary, Sir John Cox Bray, told Parliament that they would only act when it became necessary to do so.(268)

(263). *Ibid.*

(264). Turnbull to Police Commissioner, 25 Aug. 1890, N46/561, 408, NBAC.

(265). *S.M.H.*, 27 Aug. 1890.

(266). *Ibid.*, 29 Aug. 1890.

(267). *Ibid.*, 25 Aug. 1890.

(268). SAPD, 1890, 1008.

The Premier issued a warning that any attempt by the government to force employers to submit the dispute to arbitration might have a 'contrary effect'.(269) It could result in the employers stubbornly remaining firm until the unions capitulated.

By 8 September attention had shifted from the wharves to Broken Hill, after the directors closed the mines owing to the small amount of coal being railed from the ports. The Sydney Morning Herald commented that the closures had 'undoubtedly intensified the feeling between the two classes directly concerned in the strike, and has to some extent given a new aspect to the whole difficulty'.(270) On 10-13 September an employers' conference was held in Sydney. The Steamship Owners' Association (SOA) advised the Employers' Union of South Australia that they would recommence operations at Port Adelaide, on the condition that the government agreed to provide adequate protection as was the case in other colonies, to ensure that there was no disruption to the handling of cargo.(271) The Premier refused to alter his position on the question of government intervention and while the SOA 'indignantly protested against the supineness of the South Australian Government', (272) it lacked the power to do anything else. Finally, the Employers' Union decided to take matters into its own hands, by placing advertisements in a number of newspapers for all 'able bodied men' seeking

(269). S.M.H., 4 Sept. 1890.

(270). *Ibid.*, 9 Sept. 1890.

(271). Keith R. Bowes, 'The 1890 Maritime Strike in South Australia', M.A. Thesis, Univ. of Adelaide, 1957, 100-01.

(272). *Ibid.*, 101.

employment to contact the Adelaide secretary.(273)

The introduction of non-union labour in South Australia placed a different complexion on matters and ultimately resulted in a repetition of the violent confrontations currently taking place in the eastern colonies.(274) On 13 September, 15 blacklegs arrived in Port Adelaide from Port Jervis, where they were subjected to abuse from a crowd of unionists and their supporters. The men promptly decided to return home the same day. Employers complained that they were losing orders to Melbourne, where the blockade was not as complete,(275) and a deputation met the Premier on 18 September to demand greater protection for non-union labour on the wharves. Playford told the delegates that 'he would grant all protection that was needed, but he was not going to irritate the populace by a heedless display of force'.(276) In Parliament, Sir John Downer attacked the government for not taking adequate measures and thereby preventing men from accepting the work being offered. Nevertheless, on the whole the Assembly approved of the government's handling of the situation.(277)

In order to break the blockade, employers were forced to recruit non-union labour from outside of Adelaide, mostly from country districts and from Melbourne. The Newcastle Morning Herald reported 'a general migration of

(273). *Ibid.*

(274). *Ibid.*, 103.

(275). *S.M.H.*, 16 Sept. 1890.

(276). *N.M.H.*, 19 Sept. 1890.

(277). *Ibid.*

men...from the country to the port'.(278) The Adelaide Steamship Company arranged to fence in its property at Commercial Wharf, as a defensive measure. On 24 September a number of workers arrived at Port Adelaide railway station to carry out the fencing work but quickly returned to the city after meeting a hostile crowd, which threatened to 'pull up the work as fast as it is put down'.(279) The company decided to make another attempt the following day and requested police protection for the men.(280)

By 26 September an estimated 1,300 workers were on strike, while another 500 had been laid off as a result of the dispute,(281) from South Australia's 57 unions which had a total membership of up to 10,000.(282) During the strike the unions in South Australia and Victoria were in a happier position than their counterparts in New South Wales, by virtue of the fact that they had fewer workers and their families to support. Dickey notes that there was 'little difference in the degree of support accorded to the maritime Labor bodies in Adelaide by the societies of skilled and unskilled workers', which between them contributed approximately £10,000 in strike donations.(283) As the blacklegs arrived at Port Adelaide, a number were persuaded to either join

(278). *Ibid.*, 27 Sept. 1890.

(279). Adelaide Steamship Co. to Port Adelaide Police, 24 Sept. 1890, N46/561, 514, NBAC.

(280). *Ibid.*

(281). S.M.H., 27 Sept. 1890.

(282). Rickard, 314-15.

(283). Brian Dickey, 'South Australia', in D.J. Murphy (ed.), *Labor in Politics*. St. Lucia, 1975.

the union and thereby become eligible to receive strike pay,(284) or to return home. In one instance, the assistant manager of the Adelaide Steamship Company reported having engaged 12 men to work on the Enterprize 'but only 6 turned up on Monday morning'.(285) The blacklegs were not only threatened by the strikers but by their wives and children as well. For example, an angry mother pulled a blackleg from his bed at Port Adelaide, striking and scratching him in the process. During the last week of October, women helped to break through barricades at the port in an effort to rush the wharves.(286)

By the end of September the barricade at Commercial Wharf was almost completed and Adelaide Steam proposed to discharge its vessels there in turn and have them sail as soon as crews could be found, beginning with the Ferret and the Lubra.(287) On 1 October Harold, president of the Federated Employers' Council, called for special constables to be sworn in following a minor disturbance at Port Adelaide, which resulted in 50 additional police being rushed to the wharves. The employers were convinced that the supply of non-union labour might be stopped, as a result of threats and intimidation by the pickets which left many workers too frightened to return. Meanwhile the Premier refused to take any further action, since the trouble had been successfully dealt with by the police.(288)

(284). N.M.H., 26 Sept. 1890.

(285). Minutes of Directors Meeting, Adelaide Steamship Company. 30 Sept. 1890, N46/548, NBAC.

(286). Scates, 85.

(287). Minutes of Directors Meeting, Adel. Steamship Co. 30 Sept. 1890.

(288). Bowes, 104-05.

During October hopes of victory gradually faded for the strikers, as an increasing number of blacklegs arrived at the port and were escorted by the police to the Labour Bureau. By 6 October an estimated 300 men were working there.(289) On 10 October the steamer Jessie Darling, which had been blocked since the strike commenced, finally sailed from Port Adelaide.(290) Although there were instances of unionists being fined for assaulting and intimidating blacklegs, the violence was only sporadic. On 27 October the press reported that the Newcastle miners had voted to return to work, causing a considerable stir. The Sydney Morning Herald commented:

'If the miners return to work the strike will be over, for the owners state that they have made all arrangements for resuming the regular intercolonial steamship service'.(291)

The miners' vote was significant because it meant that coal supplies would soon be available to supply the steamship companies. This would allow more vessels to sail with blackleg crews and result in an increasing number of non-union workers being recruited to work the shipping in port. With the maritime unions facing defeat, the situation at Port Adelaide rapidly deteriorated as frustrated pickets resorted to violence. On 28 October a large crowd threw stones and attempted to break down a wire barricade surrounding the wharf. Their intention was to rush the steamers after failing to prevent a gang of blacklegs from reaching the port from the labour bureau. Police

(289). S.M.H., 7 Oct. 1890.

(290). Ibid., 11 Oct. 1890.

(291). Ibid., 28 Oct. 1890.

reinforcements armed with batons were called in and stationed along the wharves, along with 50-60 mounted troopers(292) who were ordered to leave their swords back at the barracks,(293) indicating that the rioting was not considered to be too serious. The following day a number of blacklegs were again stoned by the crowd,(294) while on 30 October the Adelaide Steamship Company's wharf was briefly rushed and the non-union labourers overpowered and physically removed from it.(295) The Company secretary reported:

'Much trouble at the port - in carrying on work...The men brought from Melbourne do not like this place or circumstances and wish to go back - they are our best hands. Am anxious to keep them as long as possible. They will not go to the Labor bureau. Free men...are frightened of the tactics of the unions'.(296)

On Friday, 31 October a military detachment from the Permanent Force at Fort Glanville, under the command of Major Gordon, was despatched to Port Adelaide during the early hours of the morning. The authorities claimed that a major riot had been planned, and a force 300-strong consisting of police, mounted troopers and members of the permanent and naval forces were assembled at the port. As a further defensive measure, the Protector, a cruiser in the

(292). South Australian Register (S.A.R.), 29 Oct. 1890.

(293). Walker, 8.

(294). S.A.R., 30 Oct. 1890.

(295). Ibid., 31 Oct. 1890.

(296). Minutes of Directors Meeting, Adelaide Steamship Co., 30 Oct. 1890, N46/548, NBAC.

service of the colony, was standing by ready to move to a position at Robinson bridge if required, the point where the unionists were expected to gather,(297) in order to land the naval forces. The vessel was normally used to defend shipping and ports within the Spencer and St. Vincent Gulfs and its armaments included 4 Hotchkiss machine guns.(298) Port Adelaide's mayor was also present, along with a magistrate in case it became necessary to read the Riot Act, at which point the entire force would be placed under the control of a superior naval officer, Commander Walcott.(299) No rioting occurred at the port that day and with the streets remaining quiet, the forces were stood down and the troops returned to the fort.

There was no evidence that a major disturbance had been planned for that day. The call out of the military and naval forces answered the complaint of the Adelaide Steamship Company regarding the lack of protection being provided at the port. Since the strength of the force would only be increased if the pickets stepped outside the law, circulating rumours of a riot was an effective means of obtaining a response from the government. The Chief secretary also received a large deputation from the Employers' Union that same day, asking for special constables to be sworn in. Bray promised to discuss the matter with Cabinet and said that the government was determined to maintain law and order. He reminded the employers that in the opinion of his colleagues they should hold a conference with the unions in an effort to

(297). S.M.H., 1 Nov. 1890.

(298). G.L. Macandie, *The Genesis of the Royal Australian Navy*. Sydney, 1949, 26.

(299). S.M.H., 1 Nov. 1890.

settle the dispute.(300) Although the government favoured such a move, it refused to become directly involved in any negotiations between Capital and Labour.(301) During the maritime strike those who tried to negotiate met with little success. The following day Cabinet rejected all proposals to begin swearing in special constables, after agreeing that the current forces at its disposal were sufficient 'in the event of any serious disturbances'.(302)

The Chief Secretary introduced a new Defence Bill shortly before the strike was called off. He proposed to raise a militia with a strength of 800-2,000, exclusive of officers. The Mounted Infantry would receive 'special encouragement', (303) which indicates that the government considered this to be one of the most important forces to recruit and train, and these corps would all be located within 100 miles of Adelaide.(304) The proposed legislation indicates that the South Australian government clearly recognised the value of a strong mounted force, which could be quickly moved into the city in the event of any future civil disturbances.

On 12 November maritime workers agreed to return to work on the employers' terms, although not all unionists were defeated. For example, the wharf labourers at Port Pirie successfully obtained a shorter working day, while the marine officers received a wage increase and recognition of

(300). Ibid.

(301). Walker, 8.

(302). S.M.H., 3 Nov. 1890.

(303). Ibid., 13 Nov. 1890.

(304). Ibid.

their association.(305) Work finally resumed at Port Adelaide on 14 November, making South Australia the last colony to end the strike.(306) The strike defeat, as in New South Wales, left a feeling of bitterness towards the employers and a greater willingness for the working class to find other means to exert their influence. It reinforced organizational efforts which were already being made towards parliamentary representation, along with 'the sense of class-identity that was being expressed in those efforts'.(307) Workers were induced 'to organize and to vote for direct Labor candidates simply because they were members of their own social and economic class'.(308)

(305). Brian Dickey, 'South Australia', in D.J. Murphy (ed.), **Labor in Politics**. St. Lucia, 1975, 237.

(306). Bowes, 111.

(307). Dickey, 237.

(308). *Ibid.*, 237-38.

NEW ZEALAND.

The maritime strike in New Zealand involved a number of new unions affiliated to the Maritime Council, the colony's first federation of labour. This body was established in October 1889, following a series of meetings in Dunedin between representatives of the Federated Wharf Labourers' Union, Seamens' Union and Amalgamated Miners' Association. Its leaders wanted to unite the labour movement through an organisation which would 'be strong enough to be able to resist any attempt that a combination of employers and the government might make to reduce wages'.⁽³⁰⁹⁾ These unions were more militant than the traditional unions of the 1870's, because they were prepared to use the strike weapon whenever necessary to enforce their demands. By July 1890 the Council represented 19,000 semi- and unskilled workers, including coalminers, wharf carters, seamen and wharf labourers.

The Maritime Council was viewed as a serious threat by employers. For example, the Union Steamship Company claimed that Labour had 'gradually assumed a hostile attitude towards employers, and shown a disposition to dictate its own terms'.⁽³¹⁰⁾ Fearing industrial trouble, the Australasian Steamship Owners' Association, of which the Union Company was a prominent member, opened a secret fund 'for defence purposes' in July.⁽³¹¹⁾ During August, relations between New Zealand's largest shipping company and the

(309). Ian Merrett, 'A Reappraisal of the 1890 Maritime Strike in New Zealand', M.A. Thesis, Univ. of Canterbury, 1969, 33.

(310). Ibid., 63.

(311). Conrad Bollinger, *Against the Wind*. Wellington, 1968, 37.

unions were tense, with mutual suspicions regarding the other party's motivations increasing the possibility of a headlong clash. Merrett believes that the strike in New Zealand could have been avoided, had it not been for 'their respective affiliations with Australian bodies'.⁽³¹²⁾ The Maritime Council had affiliated with the Maritime Labour Council in Australia, mainly because of Union Steam's links with the ASOA.⁽³¹³⁾ Prior to the outbreak of the strike, a number of Australian unions had lodged wage claims and demanded improved working conditions. Profit margins were slimmer and the owners were not prepared to make any further concessions. After the Sydney Wharf Labourers' Union struck on 19 August, in support of the marine officers, non-union labour was hired by the ASOA to work on the wharves. This resulted in the strike spreading to New Zealand, because the unions refused to work for employers who hired blackleg labour.⁽³¹⁴⁾ At first, the Union Company had been able to unload cargo with its own crews, however the engagement of strikebreakers resulted in calls from Australian unions for a boycott at all New Zealand ports. The maritime dispute was the colony's first major strike and involved over 8,000 workers.⁽³¹⁵⁾

The strike was strongly supported by the Amalgamated Miners' Association, since the Union Steamship Company shipped vast quantities of coal from the Buller fields. On 28 August the Denniston miners warned the Westport

(312). Merrett, 64.

(313). Bollinger, 36.

(314). Merrett, 65-70.

(315). Len Richardson, 'Parties and Political Change', in Geoffrey W. Rice (ed.), *The Oxford History of New Zealand*. 2nd. ed., Auckland, 1992, 201.

Coal Company that they would strike unless all loading of coal ceased. The company ignored the threat, resulting in strike action on 3 September. Strikebreakers were employed to reopen the mines and in mid-October union miners were evicted from homes owned by the company. Eventually the miners' union was crushed by hunger and hardship. A number of workers were later blacklisted, while those who returned to work in 1891 were forced to sign contracts which slashed wages and did not allow for the presence of a union. The miners' strike did not prevent Union Steamship Company vessels from running, as 11,000 tons of coal was held in storage and additional supplies were ordered from overseas, should the strike continue.(316)

During the maritime dispute the New Zealand Defence Forces were called out in a coercive role.(317) The colony's military forces were comprised of the Volunteer Force and the Permanent Militia. The Volunteers consisted of 6,700 officers and ranks. The 204-strong Permanent Militia was divided into 2 branches, the Artillery and the Torpedo Corps.(318) The artillerymen were ordered to assist the police in street patrols and to provide reserves.(319) The New Zealand Police Force had a strength of 486. Recruits were ex-members

(316). Len Richardson, *The Denniston Miners' Union: A Centennial History*. Westport, 1984, 19-20; Merrett, 93-95.

(317). John Crawford, 'Overt and Covert Military Involvement in the 1890 Maritime Strike and 1913 Waterfront Strike in New Zealand', *Labour History*, No. 60, May, 1991, 66.

(318). *Report on the Statistics of New Zealand, 1890*. Wellington, 1891, 171.

(319). *Report on the New Zealand Forces, AJHR, 1891, Vol. 4, H-24, 1-2*.

of the Permanent Militia.(320) Although the police were unarmed, their training was essentially military training and they provided a reserve force for the army. The civil force employed coercive tactics to police the strike, resisting union pickets and protecting strikebreakers.(321) There was provision under the Defence Act of 1886 for the Permanent Force to provide MACP in the event of civil disturbances. The Governor could order the military to assist the police, or to serve as police, giving the troops the same powers and authority as members of the civil force.(322)

The Permanent Artillery were first called out on 30 August. A 30-strong detachment was sent unarmed to Wellington's wharf, to assist the police with guard duty. The troops were withdrawn shortly afterwards as their services were not required. The unnecessary parading of a military force was defended by the Defence Minister, William Russell. He claimed that the soldiers were present as civil policemen to preserve order, and were not acting in a military capacity.(323)

The government also examined the legality of calling out the Volunteer Force to assist with strike duty. The Defence Act made no provision for this and the question was referred to the Solicitor General. In his opinion, under section 89 of the Act, the Volunteers could be called out as soldiers if they

(320). Report on the Statistics of New Zealand, 1890, 171.

(321). Richard S. Hill, 'The policing of colonial New Zealand: from informal to formal control, 1840-1907', in David M. Anderson and David Killingray, (eds.), *Policing the Empire*. Manchester and New York, 65.

(322). New Zealand Statutes, 1886.

(323). Crawford, 68.

were declared to be on actual service, as part of the colony's military forces. By common law they could 'act under the direction of the Civil power in the suppression of riots - or otherwise in helping to preserve the public peace'.(324)

The military were nervous about using the Volunteers, because as well as legal questions, there was also the issue of their reliability in performing strike duty. On 2 September the Mayor of Westport was dismayed to learn that 7 members of the local Naval Artillery band, had accompanied striking seamen during a parade to the wharf.(325) Although enquiries later revealed that the bandsmen were in plain clothes,(326) the incident was regarded as a serious breach of discipline. Colonel Humfrey, the Under-Secretary of Defence, warned that any repeat of this type of behaviour would result in the band being disbanded.(327)

The issue of reliability was also raised by the Under-Secretary for Defence in a query to Lieutenant Colonel Shepherd, commander of the Auckland Volunteer District. The Defence Department was examining the feasibility of using the Hamilton Light Infantry, either as special constables or as Volunteers, and asked whether the force could be relied upon to serve.(328) Shepherd believed that the force was as 'reliable as any other Volunteer

(324). Solicitor General to Russell, 3 Oct. 1890, AD1, 90/1977, National Archives (NA).

(325). Martin to Webb, 5 Sept. 1890, AD1, 90/1842, NA.

(326). Lt. Col. Pitt to Col. Humfrey, AD1, 90/1842, NA.

(327). Humfrey to OC, Nelson District, 26 Sept. 1890, AD1, 90/1842, NA.

(328). Humfrey to Shepherd, 9 Sept. 1890, AD8/11, NA.

Corps'. Nevertheless, he argued that since there were 'so many ramifications of trades unionism', it was 'impossible to say any Volunteer Corps could be relied on in cases of civil disturbance'. Therefore, he recommended that the Defence Department only enrol individual Volunteers as special constables, rather than ordering the whole force to serve.⁽³²⁹⁾ These concerns were expressed on a number of occasions when the issue of strike duty was raised, because the Volunteer Forces were representative of the wider community and included members of trade unions.

Crawford points out that in spite of the difficulties in using the Volunteers, the Defence Department prepared plans to mobilise Wellington's forces in the event of civil disorder, although these were never carried out.⁽³³⁰⁾ The option of swearing in Volunteers as special constables, under the Justices of the Peace Act of 1882,⁽³³¹⁾ was taken in several towns including Christchurch, Greymouth and Dunedin. Approximately 100 specials were enrolled to protect Lyttelton, following a series of assaults on blacklegs on the wharves, the Bridle Path and at Wilson's Road in Christchurch.⁽³³²⁾ The ranks included current and ex-members of the Volunteer corps, and ~~were~~ commanded by several officers from the artillery.⁽³³³⁾ Meanwhile, Lyttelton's mayor sent a telegram to the Minister of Defence, imploring him not to call

(329). Shepherd to Humfrey, 9 Sept. 1890, AD1, 90/1854.

(330). Crawford, 69-70.

(331). New Zealand Statutes, 1882.

(332). Lyttelton Times, 9 Sept. 1890.

(333). Crawford, 70.

out the Permanent Militia against the union pickets on the wharf.(334)

At the beginning of September, the Maritime Council called out the draymen and storemen. In Dunedin the carting of grain from warehouses to the wharves was taken over by farmers, resulting in a minor disturbance. Stones were thrown and the Mayor called a meeting of Justices at the Town Hall. As a result, 200 special constables were sworn in, including bankers, clerks and labourers. They were assisted by a force of mounted constables, who were mostly members of the mounted infantry. The mayor also accepted an offer from the unions to enrol their members as specials, and an additional 60 strikers were recruited.(335) This was unusual because similar offers in Australia to use union members to assist in keeping the peace were rejected. Merrett points out that this resulted in the 'paradoxical situation of union men protecting the men who were working to defeat them'.(336) The specials and union leaders managed to prevent further disturbances and apart from isolated incidents, the strike was not marked by the violence which occurred in Wellington in 1913.

The government did not play a major role during the strike. During the early stages the Prime Minister, Harry Atkinson, was reluctant to intervene. On 6 September, he considered that mediation at this stage would not produce a settlement. In mid-September the government was keen to call a conference but a number of employers' associations refused to send delegates. A meeting was held in Wellington on 7 October but the parties could not reach a settlement. Atkinson was not as hostile towards the unions as other colonial premiers, and

(334). *Press*, 5 Sept. 1890.

(335). *Ibid.*, 2 Sept. 1890.

(336). Merrett, 117.

refused to take the side of employers as blatantly as Massey did in 1913.(337)

The employers refused to concede to the unions' demands for a closed shop and the right to affiliate with other labour bodies.(338) By October, the unions were not only dissatisfied with their lack of progress with employers, but also by the lack of news from the executive bodies across the Tasman. It was generally considered that any settlement 'must come from Australia'. In New Zealand over half of the marine officers had returned to work. There was also considerable non-union labour available, because of the lack of seasonal work. The unions were criticised by the press and public alike for being drawn into an Australian dispute. Many unions were without funds and the Maritime Council warned the Defence Committee in Melbourne that unless monetary assistance was forthcoming, they would have to call off the strike.(339)

Following the collapse of the Wellington talks, a number of unions were ordered to return to work, with the exception of the seamen, watersiders and miners. By early November the strike was over, with the return of the watersiders and the seamen. The Maritime Council had been destroyed. Bollinger notes that 'the employers, backed by the weight of almost limitless resources and ruthless determination, had smashed the strongest and most hopeful organisation that the workers of New Zealand had so far managed to build'.(340) They were assisted by the police, Permanent Militia and special

(337). Judith Bassett, *Sir Harry Atkinson 1831-1892*. Auckland, 1975, 158.

(338). Bollinger, 43.

(339). Maritime Labour Council of New Zealand to Defence Committee, 8 Oct. 1890, MSS 308/10, ML.

(340). Bollinger, 43-44.

constables which allowed non-union labour to be employed. For example, in Wellington the government had 133 specials, 40 police and 18 members of the Permanent Militia available by mid-September to coerce the strikers.(341) These measures, plus the lack of financial support for the unions hastened the collapse of the strike.

SUMMARY.

In 1890, employers throughout the Australasian colonies began to mobilise in direct response to growing trade union organisation. Employers felt threatened by the large Maritime Labour Councils which enjoyed a number of union affiliations, and sought an excuse for a confrontation before these bodies became too powerful. This was provided by the marine officers' dispute with the ship owners, who rather unnecessarily refused to accept their affiliation with Trades Hall, and looked for support from other employers' organisations. Representatives of capital moved quickly to ensure that state intervention would be forthcoming on their behalf. In New South Wales, the government was criticised for not being sufficiently coercive, resulting in employers manufacturing a confrontation at the wharves, in order to gain increased protection for non-union labour. In Victoria, the middle classes were threatened with shortages of gas and coal. The capitalist press highlighted their concerns regarding law and order, as a means of placing pressure on the government to use military force to confront the strikers.

(341). Crawford, 70.

Other colonial governments were not as keen to take this type of action, with South Australia's Premier refusing to strengthen police ranks by swearing in special constables. In most other colonies, state intervention resulted in an unprecedented number of military being called out on MACP duty. The presence of a coercive force, together with the large surplus of unemployed seeking work and the financial resources available to employers, resulted in total defeat for the unions.

THE SHEARERS' STRIKES, 1891 and 1894; BROKEN HILL, 1892.

Following Labour's defeat in the maritime dispute, Queensland's powerful bush unions clashed with the pastoralists 'in an industrial struggle that raised fundamental questions about the colony's social and political values'.(1) The outcome of the 1891 dispute was determined by the intervention of the Queensland government directly on the side of Capital.(2) The Queensland Defence force provided MACP which allowed the pastoralists to recruit non-union labour under the protection of the State. The strike was a continuation of the 1890 fight, with 'freedom of contract' and the 'closed shop' being two of the major issues at stake. At the beginning of 1891 the Brisbane Courier declared that:

'The locale of the struggle between capital and labour has been transferred from the coast to inland regions. The signal has been apparently given for a revolt of the shearers and station labourers. Undeterred by the sharp experience of the late strike throughout the colonies...the shearers and labourers on the pastoral runs of Queensland have determined to embark on what we cannot but regard as a foolish and self-destructive campaign'.(3)

The two major strikes in the pastoral industry which occurred in 1891 and 1894

- (1). R.J. and R.A. Sullivan, 'The Pastoral Strikes, 1891 and 1894', in D.J. Murphy (ed.), *The Big Strikes*, 80.
- (2). *Ibid.*
- (3). B.C., 8 Jan. 1891.

were part of a series of disputes over wages and conditions which affected the eastern colonies during the 1890's. The crushing defeat of the shearers' union in 1891 would indicate to the trade union movement, that the failure of the maritime strike the previous year was undoubtedly more than just a temporary setback.(4) In 1892 the fight shifted to Broken Hill and resulted in the deployment of armed police in preference to military forces to ensure the defeat of Labour.

THE 1891 SHEARERS' STRIKE.

In the early 1890's the Australian economy was largely sustained by the pastoral industry, which was the leading export earner. For example, wool from New South Wales provided 30 per cent of the colony's total export income in 1890.(5) In the space of 5 years since 1886, sheep numbers in Queensland had risen from around 9 million to over 20 million.(6) During the late 1880's wool prices dropped due to the pressure of expansion, forcing many pastoralists to borrow heavily to further increase production and to look for ways to reduce their costs.(7)

The rapid growth in the pastoral industry also resulted in growth in the

(4). H. Kenway, 'The Pastoral Strikes of 1891 and 1894', in D.J. Murphy; R.B. Joyce; Colin A. Hughes (eds.), *Prelude to Power*. Milton, Queensland, 1970, 111.

(5). Robin Gollan, *Radical and Working Class Politics*. Carlton, 1960, 101.

(6). Kenway, in Murphy, Joyce and Hughes (eds.), 112.

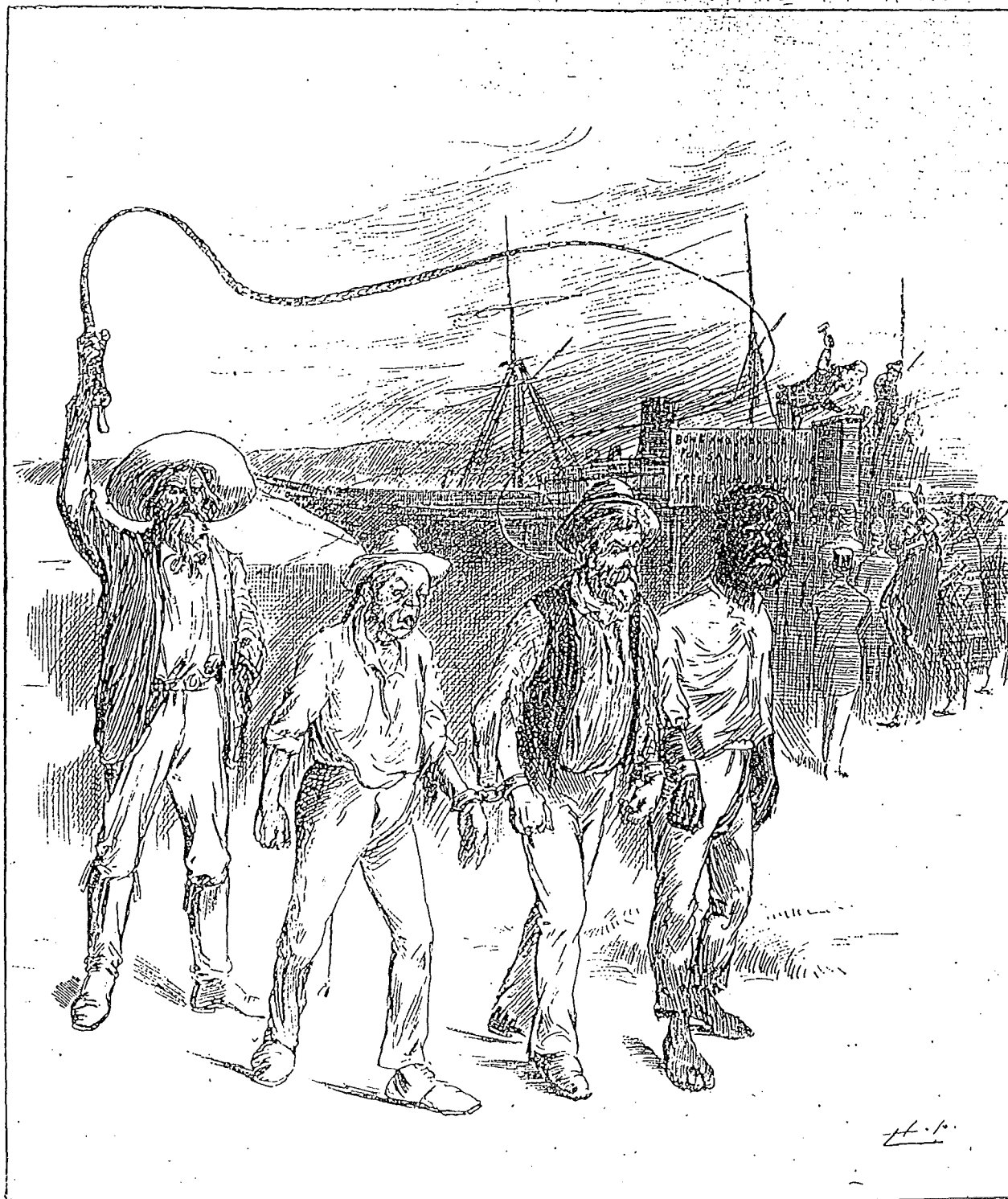
(7). Michael Dunn, *Australia and the Empire*, Sydney, 1984, 56-7.

The Bulletin

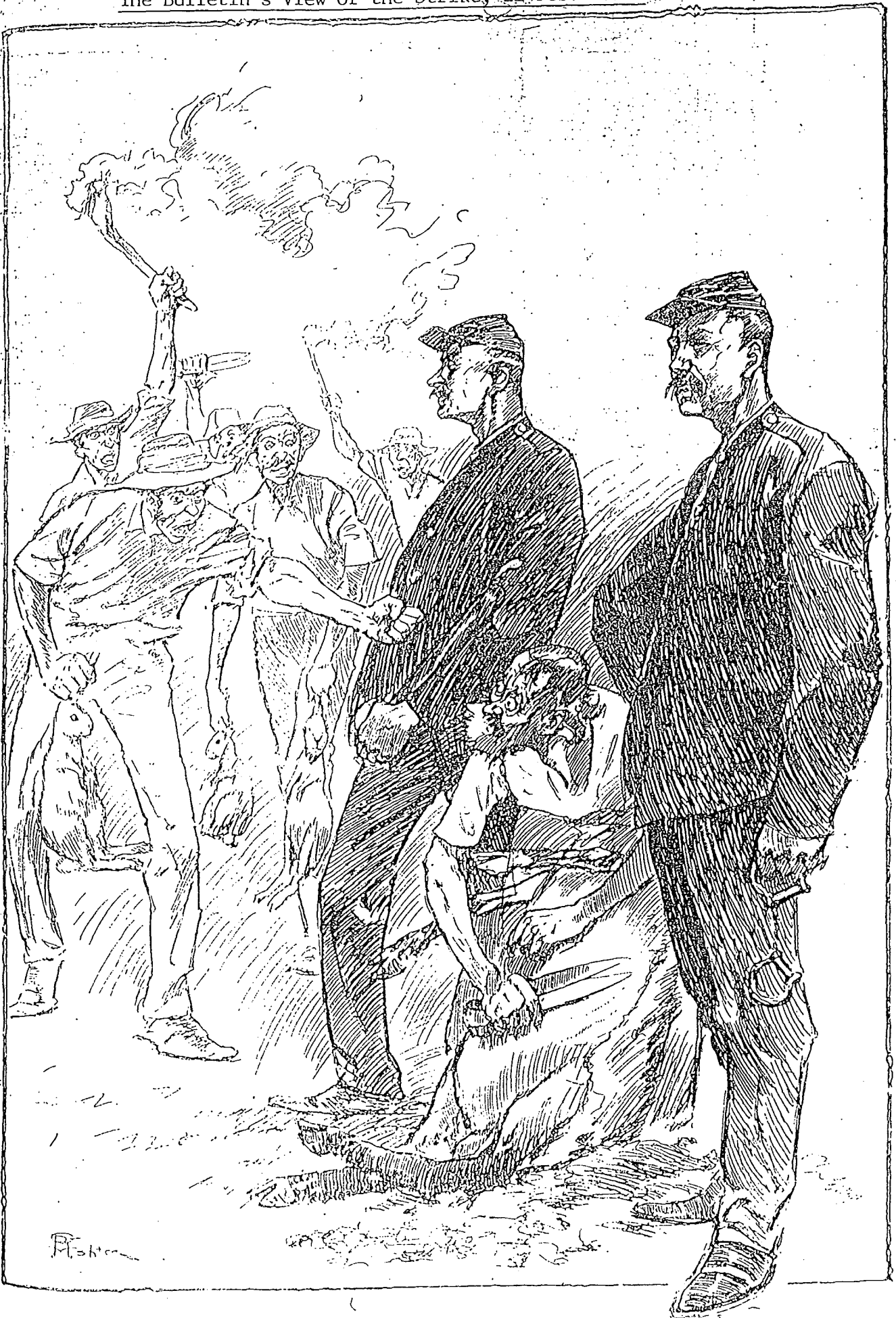
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"FREEDOM OF CONTRACT"—HOW IT WORKS.



THE SITUATION IN QUEENSLAND.

job market and the appearance of new organised bodies of bush workers. In 1886, William Guthrie Spence assisted in the formation of a shearers' union in various districts throughout New South Wales and Victoria. These branches were formed into a larger intercolonial body, the Amalgamated Shearers' Union (ASU), with Spence as its first president, boasting 22,500 members by 1889. A separate shearers' union was formed in Queensland, along with a labourers' union, and while it remained independent, the QSU worked closely with the other colonies. By 1889 the new shearers' and labourers' unions claimed 9,000 rural workers as members, and the following year they were federated into a larger body, the Australian Labour Federation. During the years 1886-89 the shearers succeeded in winning major improvements in their working conditions, either by negotiating directly with the pastoralists in each district or through strike action or the threat of it.(8)

Following the defeat of the labour unions involved in the maritime strike in 1890, the pastoralists rejected the closed shop and endorsed the principle of 'freedom of contract'. According to the secretary of the N.S.W. Pastoralists' Union, this meant 'that an employer is to be free to employ whom he pleases, and an employee to be free to engage or refuse to engage work as he pleases'.(9) Freedom of contract was an attempt to by-pass the unions and to introduce an agreement cutting wages and conditions. Representatives of the Australasian Pastoralists' Union adopted a new shearing agreement at conferences in Melbourne on 7 November and 22 December 1890.(10) This slashed

(8). Gollan, 102-07.

(9). Kenway, in Murphy, Joyce and Hughes (eds.), 112.

(10). B.C., 8 Jan. 1891.

wages 15-33 per cent, rejected the principle of employing union members only, and disregarded the 8-hour working day. Pastoralists could also retain wages until shearing was completed, when the money could be forfeited if the labourer had broken the new agreement.(11) The new shearing season in early 1891 in the western districts of Queensland, an area where the Pastoral Employers' Association was strong, was chosen as the venue for the opening round in the fight for union acceptance of freedom of contract.(12) The union met at Blackall in December and rejected the pastoralists' agreement,(13) which ignored the principle of collective bargaining.

The strike commenced in January 1891 and lasted almost 6 months. Shearing was due to commence in Queensland at Logan Downs station on 5 January, where 200 shearers and rouseabouts had gathered. However when the roll was called, George Taylor, the local union representative, announced that all the men were members of the Q.S.U. and therefore could not sign the new contract without becoming blacklegs. The men withdrew from the station and formed a camp about 5 miles from Clermont.(14) The Pastoralists Employers' Association (PEA) met at Barcaldine in mid-January and agreed to postpone shearing for a fortnight, to allow time for the workers to reconsider and sign the agreement. If the men refused, sufficient labour would be hired to work 6 sheds. This meant delaying the opening of the new season until mid-March. In Sydney, Spence told the Strike Commission that all points in the new agreement

(11). R.J. and R.A. Sullivan, in Murphy (ed.), 80.

(12). Kenway, in Murphy, Joyce and Hughes, 112-13.

(13). R.J. and R.A. Sullivan, in Murphy (ed.), 80.

(14). B.C., 8 Jan. 1891.

could be mutually settled, although shearing could not commence until the squatters recognised the unions.(15)

An ASU manifesto issued in support of the Queensland shearers in mid-January, claimed that the pastoralists were being incited by the Employers' Union 'to carry the war inland'.(16) The unions continued to reject the new agreement and, at the end of January, the Pastoralists' Union began engaging blacklegs in Victoria and New South Wales.(17) On 4 February approximately 200 non-union workers left Melbourne by ship for Rockhampton, where they were greeted by an angry crowd. The men were quickly placed aboard a special train and travelled inland under police protection.(18) Blacklegs were guaranteed work for 6 months and with the onset of a depression and high unemployment there was no shortage of applicants. The Pastoralists' Union of Victoria (PUV) despatched another 200 men to Queensland on 3 April, along with 3 batches totalling 142 men between 30 May and 6 June, while 200 men sailed from New Zealand to Rockhampton on 10 June.(19)

The introduction of blacklegs inflamed the situation in the western districts. A meeting of over 300 unionists in mid-February called for volunteers to travel to Peak Downs station to act as mounted pickets. Shortly afterwards 25 men left on the Clermont train, along with another 100 on horseback. Four sheds, each 30-40 miles apart, were currently being worked

(15). *Ibid.*, 17 Jan. 1891.

(16). *Ibid.*

(17). *Australasian Pastoralists' Review (A.P.R.)*, 16 March 1891, 14.

(18). *B.C.*, 11 Feb. 1891.

(19). John Merritt, *The Making of the AWU*. Melbourne, 1986, 173.

near the town of Clermont and the **Brisbane Courier** estimated that at least 100 extra police were needed to protect them. Horace Tozer, the Colonial Secretary, ordered Morey, Clermont's Police Magistrate, to begin swearing in special constables. Unfortunately, Morey had little prospect of recruiting any specials because the majority of local business people were union sympathisers.(20)

During the strike, the unionists formed a number of camps close to any station shearing non-union, the largest being at Clermont and Barcaldine. Both towns were at the terminus of the railway and from here the movement of the blacklegs could be closely monitored. Barcaldine had 4 camps by 20 March, the largest containing over 1,000 men. The main camp flew the Eureka flag and its motto was 'Freedom under the Southern Cross'. Rations consisting of beef, flour, baking powder, tea, sugar and tobacco were supplied by a local storekeeper upon receipt of an order issued by the camp strike committee, since none of the men were receiving any strike pay.(21) The strike was administered by the Central District Council of the ALF, which contained 15 representatives from the QLU and 7 from the QSU.(22) In mid-March ASU president Spence and Saunders, a Queensland union delegate, toured South Australia raising funds for the strike, since it cost 7s.-8s. per week to support each man living in the camps.(23)

On 20 February the government moved against the strikers, calling out

(20). B.C., 17 Feb. 1891.

(21). *Ibid.*, 20 March 1891.

(22). Kenway, in Murphy, Joyce and Hughes, 113.

(23). B.C., 18 March 1891.

the first of a number of corps of the Defence Force to provide MACP under section 55 of the 1884 Defence Act.(24) The Brisbane Courier commented that the 'demonstration of force in the threatened districts...should convince the men that resistance to constituted authority was hopeless folly'.(25) The government's explanation for military intervention was that a number of non-union labourers were assembling at Clermont, while large numbers of armed unionists were also heading to the district, 'with the avowed object of preventing those men from taking work'.(26) The unionists were perceived as constituting a threat to the pastoral industry, by only allowing it to operate in accordance with their demands. Chief Secretary Griffith claimed that had the non-union labourers and pickets clashed, there was 'no sufficient force to oppose them'. Part of the colony would have come under the control of trade unionists who were well armed and the government had taken steps to prevent this.(27) The State initially responded to the strike by enforcing the law with its civil arm, while special constables, mainly blacklegs, were recruited wherever possible.(28)

Premier Griffith probably decided to call out the military on 19 February, the day that shearing started at Wolfgang station using non-union labour. The station was located 8 miles from Clermont and only 5 miles from

(24). Report by Colonel E.R. Drury, 'Special Service by Corps of the Queensland Defence Force', QVP, 1891, Vol. 2, 335.

(25). B.C., 21 Feb. 1891.

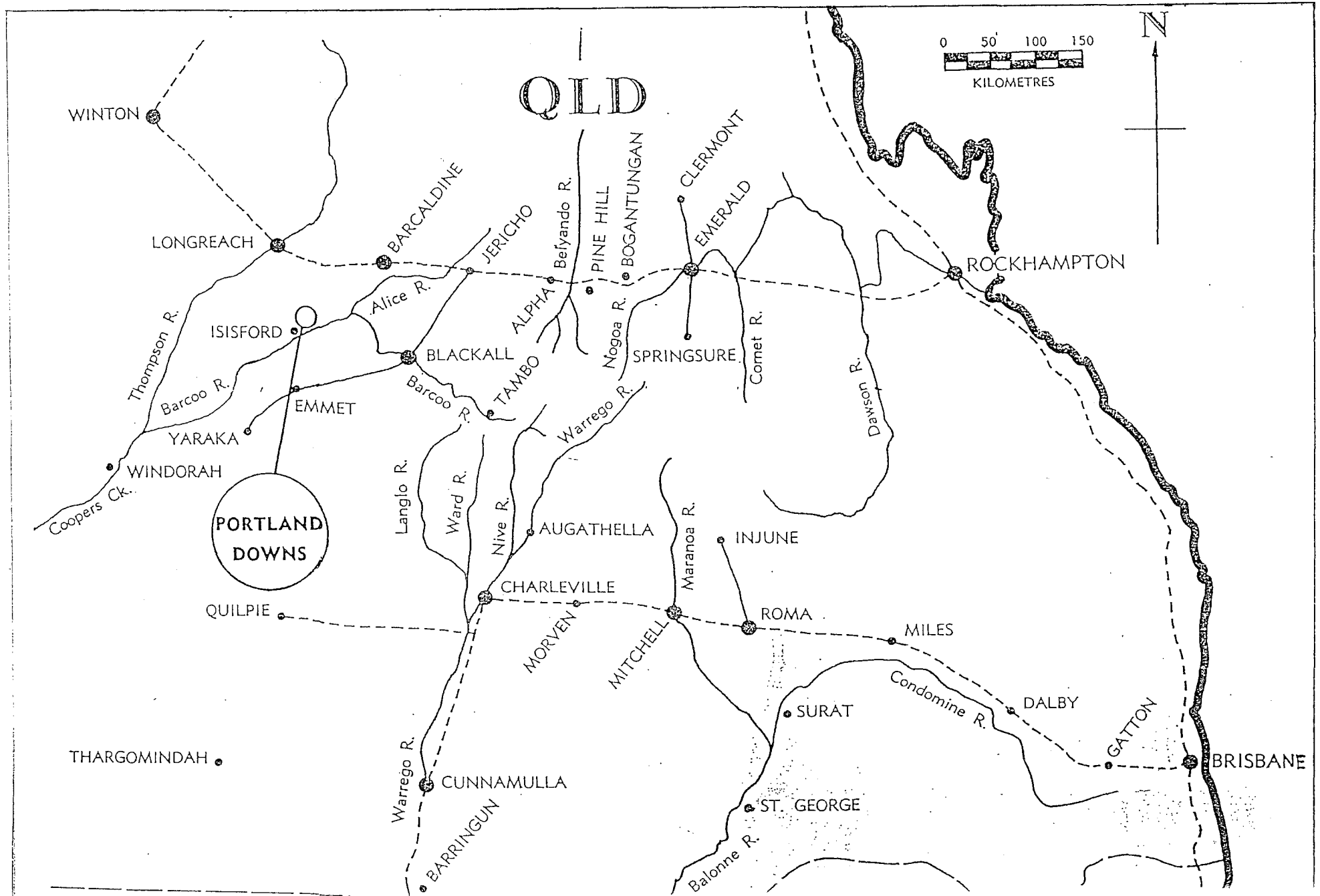
(26). Chief Secretary, 9 July 1891, QPD, 4th. Session, No. 6, 5.

(27). *Ibid.*

(28). Stuart Svensen, *The Shearers' War*. St. Lucia, 1989, 92.

Map Five. Pastoral Districts of Queensland.

Source: G.W. Lilley, *Barcoo Saga*. Melbourne: Portland Downs Pastoral Company, 1975, 2-3.



the shearers' camp, and was the most likely property to be attacked.(29) The local magistrate informed the Colonial Secretary that the situation was grave and urged that reinforcements be sent immediately: 'Either the police, Volunteers, or Defence Force'.(30) Shortly afterwards, the Executive Committee of the Pastoralists' Association arrived by train from Barcaldine and reported passing several hundred horsemen en route to Clermont. Meanwhile the police had seized powder, shot and ball cartridge from unionists at Emerald, while a bullock belonging to Little of Lochnagar station had also been slaughtered.(31) Wild rumours quickly spread as to the intentions of the strikers.

Bolton and Gregory(32) question whether the government actually believed that the colony was on the brink of civil war. Griffith and his ruling coalition partner, Sir Thomas McIlwraith, both attended the National Australasian Convention in Sydney during the strike. Although Griffith kept in contact with developments, he appears not to have considered the situation serious enough to warrant his return to Brisbane. Tozer, the Colonial Secretary, who administered the task of deploying the military forces, also had a tendency to exaggerate the dangers and Griffith probably took this into account.

On 20 February A Battery, Queensland Artillery under the command of

(29). B.C., 21 Feb. 1891.

(30). *Ibid.*

(31). *Ibid.*

(32). Geoffrey Bolton and Helen Gregory, 'The 1891 Shearers Strike Leaders: Railroaded?', *Labour History*, No. 62, May, 1992, 118.

Major Landon Dealtry Jackson, was ordered to Clermont. A force of 61 officers and men, equipped with a 9-pounder field gun and a Nordenfeldt machine gun, sailed for Rockhampton at 7 p.m. aboard the Burwah.⁽³³⁾ Although there was no demonstration at the Brisbane wharf, some of the lumpers engaged in shipping the detachment's horses and ammunition informed the soldiers that they were going 'on a wild goose chase' and that 'the shearers were only bluffing them'.⁽³⁴⁾ An advanced contingent of 21 men arrived in Clermont on 23 February, while the remainder of A Battery arrived the following day. Their train was met by about 80 shearers, who ridiculed the troops by marching behind them singing a popular song, 'Roll the old chariot along'.⁽³⁵⁾

The Permanent Force was deployed on MACP duties for almost 5 months until 12 July,⁽³⁶⁾ involving 95 officers and men and 14 Headquarters Staff from a total force of 331.⁽³⁷⁾ The artillerymen regularly drilled with the field gun and the Nordenfeldt 10-barrelled machine gun,⁽³⁸⁾ in what was probably a show of force intended to intimidate the unionists. They were not permitted to leave camp without a pass and could only carry side arms while on duty.⁽³⁹⁾ The tasks of protecting public buildings, police lockups, railway stations and

(33). Special Service report, 335.

(34). B.C., 21 Feb. 1891.

(35). *Ibid.*, 24 Feb. 1891.

(36). Queensland Defence Force report, QVP, 1891, Vol. 2, 343.

(37). Special Service report, 341.

(38). B.C., 2 March 1891.

(39). *Ibid.*, 25 Feb. 1891.

goods sheds were carried out by corps of both infantry and artillery.(40) On 1 March a detachment of 20 men from A Battery, led by Lieutenant Spencer Browne, was sent to Wolfgang to guard the non-union labourers, following the establishment of unionist camps at Sandy Creek and on the Wolfgang Road.(41)

Along with the Permanent Force, several other corps were initially requested to provide MACP in the western districts. Fifty-nine officers and men of the Moreton Mounted Infantry under Major Percy Ralph Ricardo were called up for service, after a contingent of 50 constables led by the Commissioner of Police had their orders to proceed to Clermont cancelled.(42) One possible explanation for the change was that the situation was deemed to be too serious for the police to handle alone, and a mounted force was chosen as a more effective means of confronting the shearers. Also, their absence may have left Brisbane's remaining police ranks seriously overstretched in the event of a major disturbance due to the strike. The Infantry's departure from Brisbane, which was observed by Tozer and a number of squatters, was greeted with hoots and groans from union pickets gathered near the AUSN Company's wharf.(43) Meanwhile, a force of 32 mounted infantrymen from Rockhampton and Mount Morgan was called out by Rockhampton's Police Magistrate. This detachment was the first to arrive at Clermont, reaching the town aboard a special train on 21 February. A crowd of unionists and sympathisers was on hand to abuse and ridicule the troops. The Brisbane Courier reported that the

(40). Special Service report, 339.

(41). *Ibid.*, 336.

(42). B.C., 21 Feb. 1891.

(43). *Ibid.*

Rockhampton men made an unfavourable impression because of their physique and poor riding skills and looked no match for the shearers.(44) There is evidence of a degree of sympathy for the strikers' cause among the ranks of the militia. The Rockhampton force was ordered to protect Wolfgang station and several soldiers who allegedly fraternised with union members in Clermont, arrived there in a 'semi-inebriated condition'. One soldier loudly abused the station cook, calling him a 'blackleg' and a 'scab'. Despite the problems, Wolfgang quickly resembled a military camp, with pickets being posted to guard the approaches. The arrival of the military boosted the total force on hand at the station to over 100, including police and special constables comprised of pastoralists and their employees.(45)

By 22 February five stations were shearing with 230 non-union workers from Victoria and New South Wales.(46) Union delegates had visited every station except Wolfgang, resulting in 23 blacklegs coming over to the union. The position of the shearers was that they had no intention to use force and had gathered at Clermont to persuade all non-union workers to join them. Threats of violence only came from a small number of extremists and the union leaders planned to continue using small detachments to interview the blacklegs. Despite these assurances, there were differing opinions as to the intention of the strikers and what action the authorities should be taking.

(44). *Ibid.*, 23 Feb. 1891.

(45). *Ibid.*

(46). The stations were Logan Downs, Wolfgang and Gordon Downs in the Peak Downs district; and Arcturus Downs and Rainworth in the Springsure District.
Ibid.

The general opinion, according to the Courier, was that the shearers would not challenge the military but disperse into small armed groups and conduct guerilla-style warfare.(47)

The pastoralists argued that the presence of a superior military force would prevent a conflict breaking out and the shearers should be forced to surrender their weapons. The military would not be able to remain in the region indefinitely and once they retired the unionists might harass some of the outlying stations.(48) Another view was that only the civil arm of the law should be used to maintain order. If the strikers were not intent on violence, any attempted seizure of arms by the military could provoke a bloody confrontation. The police argued that while the shearers did not break the law, they had no authority to disarm them.(49)

A meeting of 350 unionists near Barcaldine on 22 February censured the government for calling out the military to Clermont.(50) The following day the Acting Governor, Sir Arthur Palmer, issued a Proclamation which called upon the shearers to disperse and lay down their weapons.(51) However, the government decided that disarmament would not be insisted upon, 'unless the men committed some overt act which would bring them under the criminal law'.(52) The ALF Executive claimed that the proclamation had been issued

(47). *Ibid.*

(48). *Ibid.*, 24 Feb. 1891.

(49). *Ibid.*

(50). *Ibid.*

(51). Special Service report, 336.

(52). *B.C.*, 24 Feb. 1891.

against police advice and argued that such action was likely to provoke a breach of the peace.(53) The police may have believed that the proclamation was unenforceable due to a lack of manpower. Heavy demands were already being placed on resources in policing remote districts, as Queensland only had 225 police per 100,000 of the population.(54) Ranking, a Police Magistrate, was appointed government agent at Clermont, which meant it was his duty to enforce the government's policies in the district. Ranking played a significant role during the strike(55) and was part of a Military Committee established to manage affairs in the district. The other members were Majors Jackson and Ricardo, Police Magistrate Morey and Inspector Ahern. The Committee agreed on a regular programme of duties for the military during the call out.(56) Although Ranking had few restrictions placed upon him, he was prevented from

(53). *Ibid.*

(54). Mark Finnane and Stephen Garton, 'The Work of Policing: Social Relations and the Criminal Justice System in Queensland 1880-1914, (Part 1)', *Labour History*, No. 62, May, 1992, 67.

(55). Ranking often accompanied police and military forces which were ordered to search the shearers' camps to arrest unionists with warrants outstanding. As government agent, his advice was frequently sought. For example, on 8 March after Tozer recommended that the government's forces should be strengthened, Griffith asked whether Ranking considered reinforcements to be necessary. Neil Stewart, 'The Queensland Pastoral Strike of 1891', *M.A. Thesis*, Univ. of Queensland, St. Lucia, 1973, 184.

(56). *B.C.*, 25 Feb. 1891.

adopting any harsh measures until all efforts at conciliation had failed.(57)

During the strike, the total military force called out in aid of the civil power was 1,442 of all ranks. (See Table 1, p. 204). This included 162 Artillery, 525 Mounted Infantry, 679 Infantry which represented almost one-half of the entire force, and 94 Volunteers.(58) The Queensland Defence Force (QDF) was composed of a small Permanent Force and a large militia of 3,125 officers and men, and a Volunteer Force of 1,032.(59) One of the busiest forces during the dispute were the mounted infantry, whose principal tasks were patrol and escort duty, often entailing long marches over rough country. For example, one detachment of Moreton Mounted Infantry covered 109 miles in 32 hours, while a force from Darling Downs travelled 65 miles in one day.(60) As well as escorting non-union labourers, the mounted infantry often took charge of unionist prisoners. In one incident, Lieutenant Harry Chauvel and the Darling Downs Mounted Infantry were ordered to escort a party of labourers to a station north of Charleville. En route the force met about 200 shearers near Oakwood and the inspector in charge arrested 4 unionists wanted by the police. The shearers responded by closing in around the party and Chauvel

(57). *Ibid.*, 24 Feb. 1891.

(58). Special Service report, 341.

(59). Strength on 30 June 1891. Queensland Defence Force report, 344. Members of the militia had civil occupations and were paid for their time spent on military duty and training. The QDF was commanded by Colonel George Arthur French RA who spent 13 years in Canada prior to his arrival in Queensland in 1884. Svensen, 92.

(60). Special Service report, 339.

QUEENSLAND DEFENCE FORCE.
NUMBER OF CORPS CALLED OUT FOR SPECIAL SERVICE
IN AID OF CIVIL POWER.

<u>CORPS.</u>	<u>OFFICERS</u>	<u>RANKS</u>	<u>TOTAL</u>
-Headquarters Staff	8	6	14
-Permanent Force	3	92	95
-Field Artillery	3	39	42
-Mounted Infantry	31	494	525
-Garrison Artillery	0	25	25
-Marine Defence Force	2	30	32
-Infantry	31	554	585
-Medical Staff Corps	3	27	30
-Volunteer Infantry	4	90	94

Source: QVP, 1891, Vol. 2, 341.

ordered his troops to load their weapons. The detachment was able to force its way past the shearers and escorted the men safely to their destination. Chauvel and his militiamen were inexperienced in performing this type of work and without strict discipline the confrontation could have had tragic results.(61) Other duties for the mounted forces included maintaining communications between military detachments, the police and headquarters, and protecting stations employing non-union labour.(62) The Defence Forces used a total of 765 horses, most of which were supplied by the Pastoralists' Association.(63) This is an example of the close working relationship which existed between the authorities and the pastoralists during the strike.

The Mounted Infantry were deployed as developments occurred during the strike. For example, on 12 March the Wide Bay Mounted Infantry were summoned to Barcaldine as a result of the union's call for a general strike in the western districts.(64) The following week, B Company, Darling Downs Mounted Infantry left Toowoomba for Charleville, where a large unionist camp had been established near the terminus of the Southern and Western Railway from Brisbane. The local Police Magistrate arranged accommodation and horses for

(61). A.J. Hill, **Chauvel of the Light Horse**. Melbourne, 1978, 8-9. Chauvel later enjoyed a distinguished military career and was highly decorated. For example, the 7th Battalion of the Australian Commonwealth Horse Regiment was raised entirely in Queensland and served in the Boer War under his command.

(62). Special Service report, 339.

(63). *Ibid.*, 341.

(64). B.C., 12 March 1891.

the troops.(65) Large unionist camps were also established near Hughenden and Winton and military forces were quickly despatched to cover both of these. For example, on 25 March the Charters Towers Mounted Infantry and their horses were transported to Hughenden aboard a special train, and set out on a 4-day ride to Winton, carrying their rations and equipment on packhorses.(66)

The other branch of the Defence Force which featured prominently during the strike was the Infantry. Six corps of militia and two volunteer corps were deployed to guard woolsheds and property, and to protect non-union labourers. They were transported to outlying stations by coach. Some of the troops served as specially-mounted riflemen and were provided with unbroken horses by the Pastoralists' Association.(67) On 25 March the government decided to send additional reinforcements to Barcaldine where 4 shearers' camps were located. A total of 157 officers and men, including the 1st Infantry Regiment, Queensland Volunteer Rifles and a Field Battery equipped with one 9-pounder and a mounted machine gun, were despatched from Brisbane. The corps were led by the Commandant, Colonel French, who took charge at Barcaldine from 30 March until 11 April.(68)

Naval forces were also deployed during the strike. For example, on 20 April 11 members of the Rockhampton Naval Brigade were assigned to assist the military on escort duty and to reinforce Barcaldine. Several weeks later, volunteers from the Rockhampton Naval Artillery were also required for escort

(65). *Ibid.*, 18 March 1891.

(66). Special Service report, 337.

(67). *Ibid.*, 340.

(68). *Ibid.*, 337-39.

duty. Measures were taken to ensure that arms and ammunition did not fall into unionist hands. In Brisbane, members of the Field Battery, Garrison Battery and Moreton Regiment shared guard duties at the Petrie Terrace Drill Shed, which contained stores, arms and ammunition. The Townsville Garrison Battery was also called out to guard their local armoury and stores. All members of the QDF who served during the strike, with the exception of the Field Artillery and the Ambulance Corps, were issued with Martini-Henry rifles and bayonets, plus 50 rounds of ball cartridge.(69)

A number of soldiers were reluctant to volunteer or refused to serve in a struggle between Capital and Labour. For example, on 14 March Colonel French was unable to inspect G Company of the Irish Volunteer Corps, because all 33 members were absent without leave.(70) Later in a report on the Volunteer system, French declared that the National Corps had failed in the colony.(71) In an earlier incident on 12 March, C Company of the Scottish Volunteer Corps paraded in Brisbane before Lieutenant-Colonel Armitage, a staff officer from Central Division. After learning that the force may be required for duty in the western districts, two soldiers announced that they were trade unionists and would not serve. One man declared that 'nothing would induce him to take arms against the Western labourers'.(72) Several weeks later when Colonel French's forces departed from Gympie en route to Barcaldine, only three

(69). *Ibid.*, 339-40.

(70). Svensen, 127.

(71). Memo by Col. French, 13 June 1891. Appendix A, Queensland Defence Force Report 1890-91, 346.

(72). B.C., 14 March 1891.

members of the local Mounted Infantry volunteered to accompany the contingent. French told the Gympie men that 'if they did not care to go he did not want to take them'. At the railway station armed sentries had to be posted to hold a hostile crowd back before the military train departed, while a number of larrikins shouted abuse at the soldiers.(73)

By mid-May the number of troops on duty in the western districts stood at 75 officers and 1,179 men. The QDF held 39 posts covering a distance of several thousand square miles,(74) a vast region to police. Over 8,000 unionists were living in 40-odd camps scattered around the countryside(75) and the authorities lacked the manpower to keep all of these under surveillance. On 17 April Tozer had informed Roma's Police Magistrate that the military could not be stationed near every shearers' camp. To overcome this, mobile patrols of mounted infantry and police had been attempted in an effort to shadow the strikers but these had not proven successful. Svensen notes that the military 'were led on wild goose chases by parties of experienced bushmen who knew every nook, cranny and track of their district'.(76) Because the military were so overstretched, the majority of the troops were now deployed on the stations to guard property.(77) In late April, the United Pastoralists' Association began recruiting its own special constables to assist in protecting the stations. Two squads, each composed of 10 men, were sent to

(73). *Ibid.*, 31 March 1891.

(74). Norman to Knutsford, 12 May 1891, *QVP*, 1891, Vol. 2, 351.

(75). Svensen, 131.

(76). *Ibid.*, 145-6.

(77). *Ibid.*, 146.

Barcaldine on 2 May. These vigilantes were supplied with military-style uniforms and horses by the pastoralists, and armed with carbines and revolvers. By 26 May, 134 specials had been recruited at a cost of 30s. each per week to the station owners,(78) and Svensen observes that this added a new dimension to Australian industrial relations:

'It was now possible for employers to pick up unemployed people off the streets,...give them guns, and use them to break strikes'.(79)

Bolton and Gregory(80) argue that the power of the railways was one of the crucial factors against the shearers during the strike. (See Map six.) The military forces from Brisbane and other centres were mostly transported to Rockhampton aboard a number of private and government coasting steamers, with the private companies conveying the troops at a reduced cost to the government.(81) This is another example of the close working relationship which existed between the Government and Capital during the dispute. From Rockhampton the troops were transported inland by special train to the western districts, where the pastoralists provided mounts and packhorses. The railways enabled the government to transport rapidly a large military force, equipped with artillery and machine guns, into the troubled districts in order to intimidate the strikers with a show of force. Rockhampton was linked with Barcaldine, a distance of 358 miles, with branch lines to Springsure and

(78). *Ibid.*, 146-47.

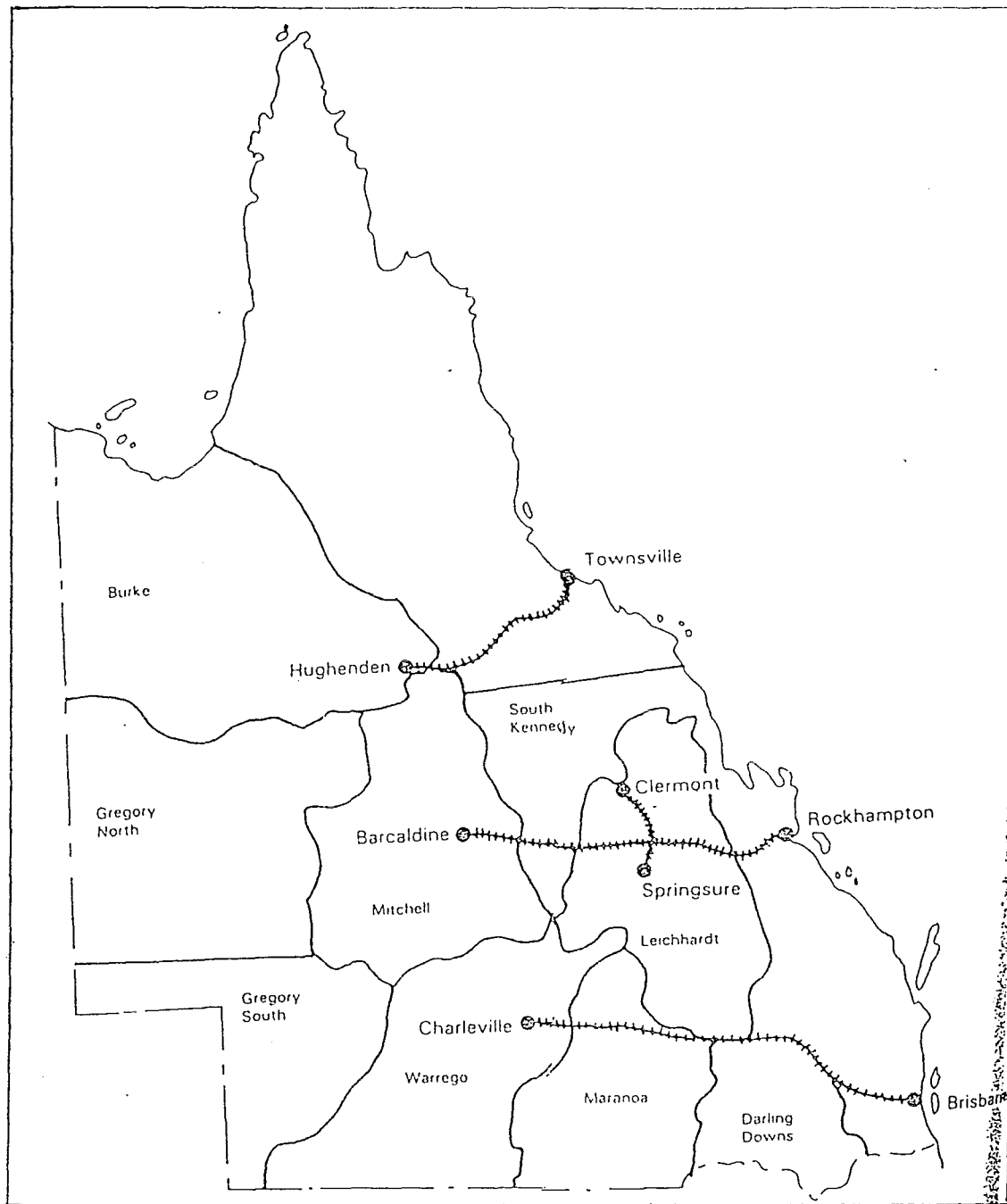
(79). *Ibid.*, 147.

(80). Bolton and Gregory, 124.

(81). Special Service report, 341.

Map Six.

Queensland Railway Network, 1891.



Source: Stuart Svensen, *The Shearers' War*.

St. Lucia: University of Queensland Press, 1989, 2.

Clermont. Meanwhile, Brisbane was linked with Charleville, while in the north Townsville and Hughenden were also connected. A decade later during the Boer War, the Afrikaners proved just how difficult it was for regular forces to defeat armed bushmen fighting on their home ground, even with control of the railways.(82) Although Queensland's pastoralists claimed that the unionists were revolutionaries and the press presented the strike as an insurrection, there were no violent clashes with the authorities and the shearers were not part of a mass movement attempting to overthrow the State. They were defending their right as trade unionists to uphold 'the principle of collective industrial agreements' by the only means available at the time.(83)

If open hostilities had broken out in Queensland, hundreds of miles of railway tracks would have been liable to attack and the shearers could have severely disrupted the movement of military trains. Three unsuccessful attempts to sabotage the railways occurred during March, beginning on the fifteenth with an attempt to derail a train carrying the Wide Bay Infantry. Barcaldine's station master reported that 2 crowbars had been placed on the line, however in this instance the engine had knocked one aside while the second had doubled up in a wheel.(84) On 19 March the second attempted derailment occurred at the Retro siding, nine miles from Capella, after a

(82). Bolton and Gregory, 124-25.

(83). R.A. Gollan, 'Nationalism, the Labour Movement and the Commonwealth, 1880-1900', in Gordon Greenwood (ed.), **Australia. A Social and Political History**. Sydney, 1955, 167-68.

(84). B.C., 16 March 1891.

large log was fastened across the tracks.(85) Potentially the most serious incident occurred on 31 March, when the headstock and right pile of a pier on the Ebor Creek bridge was cut through with a hand saw. Fortunately the sabotage was discovered before the No. 16 down train passed over and temporary packing allowed the bridge to remain open.(86) Nevertheless, the unionists were successful in restricting the movement of rail traffic, because as a result of the first attempted sabotage Railways Commissioners prohibited all trains from using the western end of the line after sunset.(87)

Union leaders were aware not only of the importance of the railways to the military but also to the pastoralists for transporting non-union labour, and accordingly formed their largest camps at the railheads. The government also established centres at the same locations to coordinate the forces deployed against the strikers. The centres were strategically placed on the Central Railway at Clermont under the command of Major L.D. Jackson, and at Barcaldine under Major C.H. Des Voeux; on the Northern Railway at Hughenden under Major L. Morrice; and at the terminus of the Southern and Western Railway at Charleville under Captain K. Hutchison.(88)

By establishing their camps at the railheads, the union leaders made the task of monitoring the shearers much easier for the authorities. Ned Murphy of Roma, a labour leader, realised this and argued in favour of splitting the men into groups of 150 and scattering them about to overcome the problem. He also

(85). *Ibid.*, 20 March 1891.

(86). *Ibid.*, 31 March 1891.

(87). *Ibid.*, 17 March 1891.

(88). Special Service report, 339.

suggested that in the event of a fight with the military, unionist forces could be:

'concentrated at a given point (away from the railways if possible) and force the running...What chance would police or Defence Force have against bushmen when in their own element, the heart of the bush. They would have no trains there to cart them and their Gatling guns, cannon, and Nordenfelts about...'.(89)

One of the problems the military faced while on active service was the non-availability of suitable transport. To overcome this difficulty, the government introduced new regulations under the Defence Force Act of 1884. The legislation authorised an officer to requisition transport for a detachment by applying to a Magistrate for the necessary warrant. As a result, the officer was empowered to seize any available means of transportation that was refused him.(90) At Barcaldine the Carriers' Union imposed a boycott against the military and at the end of March refused to shift the QDF to a new camp site. The Brisbane Courier claimed that as a result of the new regulations, there would be no further difficulties with the carriers.(91)

During the strike union leaders attempted to gain the support of railway employees.(92) The government prevented this by ordering that all employees be

(89). Murphy to Taylor. Quoted by Allan, 9 July 1891, QPD, 4th. Session, No. 6, 6.

(90). B.C., 31 March 1891.

(91). Ibid., 1 April 1891.

(92). Ibid., 28 March 1891.

sworn in as special constables, and anyone who refused to serve was dismissed and prevented from re-entering the service.(93) On 25 March the employees at Barcaldine were sworn in by Police Magistrate Morris, except for one porter who refused to serve.(94) By coercing the railwaymen to act as specials, the government was able to prevent a strike on the Central Railway which would have blocked the movement of traffic.(95) The directives issued to public servants were justified on the grounds of the necessity to maintain law and order.(96)

Throughout the strike there were numerous reports of illegal activities by unionists, including the burning of woolsheds and grass, the destruction of fencing and property, and the slaughtering of cattle. Despite these allegations, 'the official policy of the Strike Committee was one of non-violent non-cooperation with the authorities.(97) By May, the strike was practically over and was called off in Barcaldine on the fifteenth but without the unions conceding freedom of contract.(98) The unions resolved to end the strike on 10 June and the camps were broken up by 19 June.(99)

The shearers' strike failed for a number of reasons. The unionists always lacked the resources for a lengthy dispute and mounting financial costs

(93). *The Bulletin*, 9 May 1891; *B.C.*, 26 March 1891.

(94). *B.C.*, 28 March 1891.

(95). *Ibid.*

(96). Murphy (ed.), 91.

(97). Svensen, 131.

(98). D.H. Johnson, *Volunteers at Heart*. St. Lucia, 1975, 156.

(99). Murphy (ed.), 83.

made it difficult to continue. The maritime strike in 1890 had cost the union most of its savings, with the ASU alone spending nearly £10,000. By early 1891 the Defence Committee, QSU and QLU only had £7,000 between them and lacked the support of unions defeated only months earlier.⁽¹⁰⁰⁾ Other reasons were the continuing flow of non-union labour into the western districts, the arrest of prominent union leaders, and the onset of winter and the hardships associated with living in camps, all of which seriously affected the strikers' morale. The police arrested dozens of unionists during the course of the dispute and the military were usually present to provide assistance if required. For example, on 25 March five members of the strike committee were arrested at Barcaldine and charged with conspiracy. Two detachments of mounted infantry were formed up close to the union office, while the infantry were massed into two companies ready to support the police. A small number of mounted infantry advanced and stopped outside the front door in a display of force which was designed to intimidate, in order to prevent any interference.⁽¹⁰¹⁾ A number of papers were seized from the Barcaldine office, which indicated that union leaders believed that the military would obey orders to shoot at the pickets if ordered to do so.⁽¹⁰²⁾

Certainly no incidents occurred during the strike which justified military intervention by the Queensland government. Fitzpatrick notes that:

'Guilt on the unionists' part was almost invariably a product

(100). Svensen, 69.

(101). B.C., 26 March 1891.

(102). Ibid., 28 March 1891.

manufactured in the homesteads or the government departments'.(103)

An example of this was the so-called 'riot' which occurred at Clermont on 7 March, after the Executive Committee of the Pastoralists' Association were jostled and abused by a crowd of unionists. That evening the authorities issued warrants for the arrest of 7 shearers, as the result of an incident which was probably manufactured by the pastoralists themselves, to justify their demands for greater military protection. The following morning Ranking, Inspector Ahern and a force of mounted police, Permanent Artillery and mounted infantry under Majors Jackson and Ricardo, surrounded and searched Sandy Creek camp. George Taylor, the union rep, protested to Ranking 'against the display of military force'. Although approximately 300 unionists were present, on this occasion only 2 were arrested and taken back to town.(104)

The shearers viewed the police, military and the courts as being 'reliable servants of capitalistic interest' and believed that the working man had no visible share in the law.(105) In the opinion of William Lane, editor of the Worker, Queensland law was merely 'a manifestation of pastoral political power'.(106) According to the Bulletin, almost every bush J.P. was also a pastoralist, which meant that 'everyone is sitting in judgement on his

(103). B. Fitzpatrick, *A Short History of the Australian Labor Movement*. 2nd. ed., Melbourne, 1968, 129.

(104). B.C., 9 March 1891.

(105). *The Bulletin*, 9 May 1891.

(106). Murphy (ed.), 90.

own cause'.(107) During the strike, officers in the Defence Force were also made Justices of the Peace as a way of allowing the military to give greater support to the police, since they were empowered to order a crowd to disperse and to read the Riot Act.(108)

Harsh sentences were frequently imposed on the strikers by the courts. For example, 14 strike leaders were tried in the Rockhampton Supreme Court on charges of conspiracy. Their number included George Taylor, union organiser; Thomas Ryan, chairman of the Strike Committee at Barcaldine; Julian Stuart, chairman of the Sandy Creek camp; and Patrick Griffin, chairman of the Capella camp. Twelve of the men were convicted and sentenced to 3 years imprisonment with hard labour by Justice Harding.(109) A number of historians mistakenly believed that the men were convicted under an obsolete British statute of 1825, 6 Geo.1V c. 129s.3, which had never been revoked in Queensland. However, research by Bolton and Gregory indicates that the strike leaders were sentenced under common law and Harding did not impose the maximum sentence available under the law.(110)

There were a number of inconsistencies in the sentences imposed by the courts, which appear to indicate a strong degree of bias in favour of the ruling classes and those in positions of authority. For example, a pastoralist named Byrne was only fined £5 for assaulting a unionist, while Major Ricardo was fined £1 for using abusive language. In contrast, a unionist at Blackall

(107). *The Bulletin*, 9 May 1891.

(108). *B.C.*, 24 March 1891.

(109). *A.P.R.*, 16 June 1891, 94-5.

(110). Bolton and Gregory, 120-22.

named Toohey was fined £15 for attempting to communicate with prisoners at Lorne station.(111) However, not all members of the judiciary displayed bias towards the strikers. The radical Justice Lilley was a notable exception, along with Macarthur, a Police Magistrate. In early March, Macarthur was transferred from Barcaldine and replaced by Morris. Unionists believed that this was because he had displayed leniency towards them. For instance, on several occasions Macarthur had ruled that the strikers had not broken any laws and commended the vigilance committee for doing everything it could to maintain order.(112)

The shearers commonly believed that they had no legal means of asserting their claims, since the law was made by the representatives of capital and administered by 'an unpaid magistracy consisting exclusively of capitalists'.(113) Most shearers were disenfranchised and of ^{the} 72 members in Parliament, probably only 2 or 3 had any sympathy with the working class.(114) The Bulletin claimed that a major reason for the failure of the strike was that public opinion was against the shearers. This was fed by biased newspapers, whose correspondents lived and messed with the military and only gave the authorities' view of the strike.(115)

By late May the military forces were gradually being withdrawn from the western districts, and on 12 July the Permanent Force was finally stood

(111). Speech by Glassey, 9 July 1891, QPD, 4th. Session, No. 6, 2.

(112). Ibid., 3.

(113). The Bulletin, 9 May 1891.

(114). B.C., 28 Feb. 1891.

(115). The Bulletin, 9 May 1891.

down.(116) Queensland's Governor, H.W. Norman, congratulated the Government on the 'termination, without any bloodshed, of disturbances of a very formidable character, and which, if left unchecked by the strong power of the Military and Police combined, would probably have led to results most disastrous to Queensland as a Colony and injurious to all classes of the community'.(117) The Bulletin argued that the reason that the government deployed the military against Labour was to prevent a 'prolonged and ruinous conflict', which could have resulted in the collapse of a large number of heavily mortgaged pastoralists. In turn the banks would have recorded huge losses. Most members of Parliament either had shares in the banks or owed them money, making them 'amenable to judicious pressure'.(118) As a result, the State had intervened in the dispute to protect the interests of Capital and to ensure the defeat of the shearers.

(116). Defence Force Report, QVP, 1891, Vol. 2, 343.

(117). Norman to Chief Secretary, 16 July 1891, QVP, 1891, Vol. 1, 453.

(118). The Bulletin, 9 May 1891.

The 1892 Broken Hill Strike.

Following the Queensland shearers' strike in 1891, two major disputes broke out in the Australian colonies which resulted in either limited or no military involvement. The first strike occurred at Broken Hill in 1892 and resulted in non-union labour being recruited to work in the mines under police protection.(1) The intervention of the State in support of Capital quickly ensured the defeat of the striking miners.(2) Two years later at the height of the depression, a second shearers' strike broke out in Queensland and New South Wales. In contrast to 1891, the Queensland government was reluctant to deploy the military because of the costs involved,(3) and secondly, because the strike was a smaller and more localised affair. Nevertheless, the 1894 strike involved a number of violent acts being committed by small groups of union activists. Similarly, in New South Wales a number of incidents were recorded, including the destruction of a steamer by members of the Australian Workers Union.(4) However, the Reid Ministry intervened by only deploying large numbers of police and special constables and did not call out the Permanent Artillery at any stage of the strike.

(1). Brian Fitzpatrick, *The British Empire in Australia*, South Melb., 1969, 389.

(2). Ray Markey, *The Making of the Labor Party in New South Wales 1880-1900*, Kensington, c.1988, 127.

(3). Fitzpatrick, 388.

(4). *Ibid.*

The town of Broken Hill lies 1,125 kilometers by rail from Sydney in the remote and arid western region of New South Wales close to South Australia's border. Trade unionism had been strong at Broken Hill since the introduction of compulsory union membership in 1889, after the mining companies agreed to deduct union fees from wage packets on behalf of the Amalgamated Miners' Association (A.M.A.). The Barrier miners frequently supported other unions involved in industrial conflicts. For example, Broken Hill donated £1,000 in support of the London dockers, the first Australian union to pledge financial support during that particular struggle. Following the outbreak of the 1890 Maritime strike, the miners voted £500 in aid of the unions involved, along with a fortnightly levy of 5s. per member.⁽⁵⁾ According to Dale,⁽⁶⁾ this action resulted in the directors ordering the closure of the Broken Hill mines on 5 September, after receiving an instruction from the Employers' Federation to block all aid to the strikers. The lockout only lasted for a fortnight, because high prices for silver and lead meant that the shareholders 'were in no mood to consider any common front of capitalism against unionism'.⁽⁷⁾ The miners agreed to resume work on 25 September after obtaining improved working conditions. The companies agreed that in future all disputes would be submitted to an arbitration board, the working week was reduced from 48 to 46 hours, and the minimum wage for miners was set at 10s. per day.⁽⁸⁾ It was this

(5). George Dale, *The Industrial History of Broken Hill*, Melb., 1918, 10-15.

(6). *Ibid.*, 16.

(7). Fitzpatrick, *A Short History of the Australian Labor Movement*, 136.

(8). Dale, 17-18.

agreement which the companies terminated in 1892, resulting in a strike which lasted 18 weeks.

Dale(9) maintains that following the defeat of the unions involved in the Maritime dispute and the shearers' strike in 1891, the mining directors sought a pretext to break the power of the union at Broken Hill. Rising unemployment during the first 6 months of 1892 resulted in a warning from the Broken Hill A.M.A. that along the Barrier 'the supply of labour exceeds the demand'. Meanwhile, the companies' hostility towards trade unionism was demonstrated by the dismissal of three A.M.A. officials who were absent from work on union business.(10) The critical moment came on 6 May 1892, with a meeting of eleven mine managers to discuss cost-cutting measures. They agreed to pay the miners on a contract basis for the quantity of ore mined, rather than for the number of hours worked. However, Blainey(11) argues that the evidence suggests that this action was not a deliberate attempt to break the union. While agreeing in 1890 not to use the contract system, the managers argued that many miners would earn a higher income on contract, and therefore did not anticipate major opposition to the scheme. On 30 June the companies gave Richard Sleath, Secretary of the A.M.A., one month's notice of

(7). B. Fitzpatrick, *A Short History of the Australian Labor Movement*, South Melb., 1968, second ed., 136. (Previous page).

(8). Dale, *op. cit.*, 17-18. (Previous page).

(9). *Ibid.*, 19.

(10). Brian Kennedy, *Silver, Sin and Sixpenny Ale*. Carlton, 1978, 65.

(11). Geoffrey Blainey, *The Rise of Broken Hill*, South Melb., 1968, 60.

termination of the agreement. On 3 July, 6,000 miners voted to strike for its retention.(12) The union argued that contract-mining penalized slower and older miners,(13) and 'encouraged dangerous mining practices and increased the death rate underground'.(14) For example, one of the biggest risks came from industrial diseases such as lead poisoning. The stage was set for a long struggle with neither side willing to back down. Efforts at conciliation by local church leaders failed to persuade the directors to reduce their demands or to accept arbitration. The representatives of Capital were prepared if necessary to starve the miners into submission, while union hopes lay with a natural disaster, such as a fire or an earth movement known as a 'creep'.(15)

From the outbreak of the strike, the possible involvement of the New South Wales military forces became an issue for the Dibbs government. On 3 July the managers of the principal mines at Broken Hill applied directly to the Governor as Commander-in-Chief, 'to immediately send...such military forces as will protect the property and our lives, as we find it impossible to obtain adequate police protection'.(16) This demand followed the posting of pickets around the mining properties. On 5 July 1892, the Principal Under Secretary received a joint request for assistance from the Mayor, the Police

(12). S.M.H., 4 July 1894.

(13). Blainey, 61.

(14). *Ibid.*, 60.

(15). Kennedy, 67.

(16). Telegram, Managers of Principal Mines to Governor, NSWVP, 1892-3, Vol. 3, 284.

Magistrate and Justices in the district. They expressed fears that a general riot was likely to occur and argued that since it would be extremely difficult to recruit special constables in Broken Hill, a union town, a strong force of police or military was required to prevent the destruction of property.(17) At Broken Hill the vast majority of the community supported the strike, including members of the clergy, storekeepers and publicans. The exception was a small number of mining officials who in many cases were forced to take refuge in the mines.(18)

Following a Cabinet meeting on 5 July, the Acting Premier, Edmund Barton, announced that a detachment of 50 police would be despatched from the metropolitan (Sydney) district to Broken Hill. At the same time the government claimed that it intended to remain neutral in the dispute,(19) even though this type of intervention almost invariably strengthened Capital's bargaining position. The journey to Broken Hill via Melbourne and Adelaide took 3 days and in the eyes of the working class, the ranks of labour were being placed under siege.(20) It appears that the action of the government was the result of pressure being applied by the mining companies, because Cabinet also decided that troops would be sent if required. Accordingly, Colonel Roberts of the Permanent Force was ordered to keep a detachment standing by.(21)

(17). Telegram. Mayor, Police Magistrate and Others to Principal Under Secretary, NSWVP, 1892-3, Vol. 3, 286.

(18). Kennedy, 68.

(19). *The Barrier Miner*, 6 July 1892; *S.M.H.*, 6 July 1892.

(20). Kennedy, 68.

(21). *The Barrier Miner*, 6 July 1892.

At Broken Hill union pickets were effective in twice obstructing and destroying deliveries of supplies destined for the mine watchmen and officials. On 5 July a police escort was placed aboard the train carrying the provisions, in an effort to ensure that these reached their intended destination. Following a successful delivery, a crowd of approximately 1,000 rushed the Block 14 mine. On this occasion, members of the Labour Defence Committee hurriedly intervened and persuaded the miners to retreat before the situation became too serious.(22) During the strike, worker collective action included picketing, marches and rallies, along with intimidation and some physical coercion of blacklegs. For example, on 25 August groups of women 'armed with sticks and axe handles' assaulted and chased anyone they suspected of scabbing.(23)

Richard Sleath complained to the police that rifles and ammunition belonging to the Volunteer Force had also been taken to the mines in secret, and that the employees on duty were now armed. He requested that these men be searched and disarmed, and that the police take charge of all rifles and ammunition. The possible threat of firearms resulted in the Labour Defence Committee strongly advising the miners to keep the peace. Sub-Inspector Saunders reported that he had interviewed Captain Lane of the Broken Hill Rifle Reserve Company on this matter. Lane, who was also the manager of Block 14, informed him that rifles and ammunition had been removed from the local

(22). Telegram, Sub-Inspector Saunders to Inspector General, 5 July 1892, NSWVP, 1892-3, Vol. 3, 287.

(23). Kennedy, 69-70.

depot for safekeeping but denied that these had been taken to the mines.(24) Several days later, Saunders refuted an allegation by Sleath that he had personally escorted rifles and ammunition to the mines. He claimed that these had been stored in Silverton Gaol, and that he held a telegraphic receipt from the Acting Gaoler as evidence of this.(25)

Following the intervention by police from the metropolitan district, the mining companies convened a meeting on 6 July and expressed strong dissatisfaction with the government's response. Fearing that the strength of the force would be inadequate to deal with the union pickets, and in order to obtain additional protection as quickly as possible, the companies requested that arrangements be made with the South Australian government to send 50 mounted troopers to Broken Hill immediately. Wild reports were read to the meeting which claimed that caretakers at the Proprietary Mine had been 'forcibly taken away by the crowd', that all access to and from the mines was blocked, and that employees were 'being openly molested in the streets and on the mines'.(26) It was further alleged that the properties were 'practically in [the] hands of the mob', and efforts had been made 'to stop the receipt and delivery of telegrams'. The mining companies urged the government to take firm

(24). Telegram, Sub-Insp. Saunders to Insp. General, 5 July 1892, 4/904, NSWSA (State Archives); S.M.H., 6, 7 July 1892.

(25). Telegram, Sub-Insp. Saunders to Insp. General, 7 July 1892, 4/904, NSWSA.

(26). Telegram, Knox to Acting Colonial Secretary, 6 July 1892, NSWVP, 1892-3, Vol. 3, 287.

action immediately, and again requested that a detachment from the New South Wales Permanent Force be despatched.(27) William Knox, General Manager of the Proprietary Company, allegedly offered the New South Wales government financial assistance for the services of additional police and the military. Acting-Premier Barton responded to the suggestion of intervention from South Australia by threatening Knox 'with all sorts of punishments if he dared to either repeat such a request, or attempt to call to his assistance an armed force from another colony'. Barton said that New South Wales was 'quite capable of controlling its affairs and its police, without commands or demands from mining directors'.(28) As a compromise, the New South Wales government agreed to send additional police and a magistrate, Wittingdale Johnson, 'a man with known anti-union views', (29) to replace the local official, Badham.(30) Johnson, as police commander-in-chief, worked closely with the mining companies, raising doubts about the impartiality of the law.(31)

The mining companies were unsuccessful in their repeated requests for military intervention at Broken Hill, because Premier Dibbs was absent abroad and the government's slender hold on power meant that it could not afford to be censured for harsher measures by the New South Wales Labor Party. Also, Broken Hill was extremely isolated and the state's civil arm could be concentrated in the town as a coercive force, using military-style tactics to

(27). Ibid.

(28). Dale, 32.

(29). Markey, 127.

(30). S.M.H., 8 July 1892.

(31). Kennedy, 69.

protect blacklegs and to reopen the mines. On 6 July the union had approximately 5,000 pickets enrolled for duty. Although several cases of obstruction of mine officials had been reported,(32) the strikers remained peaceful, being aware that more police were expected to arrive in town.(33) The police were stationed close to the various mines and the officer in charge, Inspector Larkins, was confident that they could 'cope with any emergency that may arise'.(34) Larkins arranged for police patrols to be constantly maintained along the line where the miners had their pickets, in order to prevent any interference with persons passing to and from the mines. A senior officer, Superintendent Grainger, arrived from Sydney on 10 July and reported that the present police strength was 'sufficient for present requirements'.(35)

The events which occurred during the course of the Broken Hill strike are well documented.(36) A threat by the mining companies to make alternative

(32). Telegram, Sub-Insp. Saunders to Insp. General, 6 July 1892, NSWVP, 1892-3, Vol. 3, 287.

(33). Ibid., 7 July 1892, 4/904, NSWSA.

(34). Telegram, Insp. Larkins to Insp. General, 8 July 1892, 4/904, NSWSA; S.M.H., 8 July 1892.

(35). Telegram, Supt. Grainger to Insp. General, 10 July 1892, NSWVP., 1892-3, Vol. 3, 289.

(36). See for example Bruce John Pennay, *Industrial Disputes at Broken Hill up to 1909*, M.A. Thesis, Univ. of Sydney, 1968; Brian Kennedy, *A Tale of Two Mining Cities*. Carlton: Melbourne Univ. Press, 1984; Brian Dickey, 'The Broken Hill Strike, 1892', *Labour History*, No. 11, November, 1966, 40-53.

arrangements was carried out on 16 August, after a conference in Melbourne agreed that the mines, including Broken Hill Proprietary (B.H.P.), would be reopened on 25 August.(37) While the companies claimed that they did not object to the miners belonging to a union, the management refused to 'submit to control by union rules or regulations'.(38) On 25 August only 50 men returned to work past union picket lines, which were double their normal strength. Johnson, S.M., arrived at the B.H.P. mine entrance where a large crowd had gathered, accompanied by mounted police armed with sabres and revolvers, and 52 constables equipped with rifles and bayonets. There was little to distinguish between this force and a military detachment. The magistrate was prepared if necessary to read the Riot Act, however union leaders persuaded the crowd to disperse.(39) Several weeks later, the Cabinet ordered both the police and the military to be held in readiness as reinforcements for Broken Hill, and shortly afterwards a civil force of 120 men was sent but no troops.(40) Non-union labour had been procured by Melbourne contractors to work in the mines and the government required extra police to provide protection. The Police Commissioner in South Australia refused a request by his New South Wales counterpart to provide the police sent to Broken Hill with horses and other equipment, by declaring:

'Am instructed by Chief Secretary to observe [a] policy of strict neutrality towards...strikers, consequently cannot render assistance

(37). S.M.H., 17 Aug. 1892.

(38). Fitzpatrick, *A Short History of the Australian Labor Movement*, 137.

(39). S.M.H., 26 Aug. 1892; Pennay, 41.

(40). S.M.H., 8 Sept. 1892.

you seek'.(41)

The first batch of strikebreakers arrived at Broken Hill during the early hours of Saturday, 10 September. A hostile crowd of several thousand unionists and supporters gathered on the Silverton line and showered the passing train with stones, bricks and other missiles. A strong contingent of police escorted the blacklegs to the Town Hall where accommodation was provided.(42) On 16 September, another detachment of 100 police under Sub-Inspector Cotter arrived from Sydney. Shortly afterwards, the government moved to crush all union opposition in the town. Forty metropolitan police with fixed bayonets surrounded the union's headquarters in the Theatre Royal hotel and arrested the strike committee while a meeting was in progress.(43) After being tried at Deniliquin in October on several charges, including having 'conspired to prevent subjects of the Queen from following their lawful occupations', (44) six labour leaders were gaoled for periods ranging from three months to two years.(45) The imprisonment of its leaders weakened the union's bargaining position and reduced the need for military intervention, since the police were now in firm control of the situation.

(41). Dale, 45.

(42). S.M.H., 10 Sept. 1892.

(43). Ibid., 16 Sept. 1892; Dale, 47.

(44). Fitzpatrick, *A Short History of the Australian Labor Movement*, 137.

(45). The union men included Herman Heberle (President, A.M.A.); Robert A. Hewitt (Organiser of Pickets); and Richard Sleath (Secretary, A.M.A). Dale, 55.

The arrests at Broken Hill resulted in a crisis for the Dibbs government and the parliamentary Labor party. Edmund Barton, the Attorney-General and Acting Premier, accepted responsibility for the action taken by the authorities, while the Trades and Labour Council criticised Labor for failing to protect the strike leaders from prosecution. In late September, a motion by George Reid that the government did not have the confidence of the House was amended by Cann, a Labor member. He accused the government of failing to administer the law in an impartial manner at Broken Hill and criticised the role of the police and the magistrate. Reid's motion to bring down the government was only defeated after four Labor members voted against it. The four were widely condemned by both their colleagues and Labor organisations outside of parliament.⁽⁴⁶⁾ It was felt that anyone 'who voted to keep Dibbs in power when he was using the power of the state on the side of employers against union leaders had betrayed his mates and the Labor movement'.⁽⁴⁷⁾ The rebels were contemptuously referred to as the 'Labor rats' and subsequently expelled from the party.⁽⁴⁸⁾

The reopening of the mines and a plentiful supply of blackleg labour from Victoria resulted in a large number of miners quitting the picket lines and returning to work. From the unionist's point of view one issue was clearcut: strikebreakers were traitors to their class. Many families were now suffering severe hardship. Ration coupons were issued only to those miners

(46). Peter Loveday, 'New South Wales', in D.J. Murphy (ed.), *Labor in Politics*, 31-2; Kennedy, 71n.

(47). Loveday, in Murphy (ed.), 32.

(48). Kennedy, 71n.

performing picket duty, while landlords issued hundreds of eviction notices to those leasing their homes. By the end of October approximately 1,400 men were employed by B.H.P. and the A.M.A. was facing defeat. A recommendation by the Defence Committee that the strike be called off was accepted at a mass union meeting on 6 November.(49) During the dispute the unions at Broken Hill contributed £2,000 towards the strike fund, while other unions around the country raised between £27,000 and £28,000.(50) The day after the strike ended, approximately 3,000 miners surrounded the Proprietary office seeking work, however only 57 were employed. At Block 14 over 1,000 men applied for jobs but none were hired, while only 4 men found work at the British mine.(51) The mining companies refused to re-employ a number of union activists and many left for Western Australia. The new system of contracting required a smaller labour force, while ore production rose. For example, B.H.P's. production increased by 22,000 tons in the first six months following the strike with 40 per cent fewer employees.(52)

The New South Wales government successfully policed the strike without the need for any intervention by the military forces. Acting-Premier Barton informed the Legislative Assembly that 'the Government recognise that it is their duty to endeavour to preserve order with the civil arm of the law, and while that is sufficient no resort will be made beyond it'.(53)

(49). *Ibid.*, 69-71.

(50). *S.M.H.*, 7 Nov. 1892; Dale, 59.

(51). *S.M.H.*, 8 Nov. 1892.

(52). Kennedy, 71.

(53). *NSWPD*, 7 Sept. 1892, Vol. 59, 266.

1894 Shearers Strike.

In 1894 the pastoral industry was rocked by a dispute in Queensland and New South Wales. On 16-18 April the Pastoralists' Federal Council finalised a new shearing agreement, which contained a clause of serious concern to the union. This gave the shed overseer 'the right to determine any dispute and interpret the clauses and rules of the agreement'.⁽⁵⁴⁾ The union claimed that this would nullify the workers' rights contained in other clauses. Since February, the Amalgamated Workers' Union (Amal. W.U.) had tried unsuccessfully to obtain a conference with the United Pastoralists' Association (U.P.A.) over a number of grievances. These included the shearing of wet sheep, rates of pay for labourers, the distribution of work, and a reference system which could be used to blacklist union shearers. During May, an intercolonial conference in the Brisbane Trades Hall decided that a conference with the pastoralists must be held before full shearing resumed on 1 July, in order to reduce the likelihood of a strike. However, the U.P.A. refused to be committed to any talks with the union and denied that there were any matters in dispute.⁽⁵⁵⁾

As a result, the Amal. W.U. called a strike in protest at the 1894 agreement, which lasted almost 3 months, beginning with the Longreach branch on 17 June.⁽⁵⁶⁾ Two other branches, Hughenden and Charleville, also became involved in the dispute which was shorter and less widespread than the 1891 struggle. In 1894 there were no large strike camps compared to those of 3 years earlier, while the deployment of large numbers of troops was not

(54). H. Kenway, in Murphy, Joyce and Hughes (eds.), 121.

(55). Ibid., 120-21.

(56). The Morning Bulletin, Rockhampton, (M.B.), 14 Sept. 1894.

repeated.(57) Nevertheless, there was greater destruction of property, with woolsheds being a popular target for arsonists.(58) Initially, the Queensland government relied on the police and special constables to maintain order. However, during the latter stages of the dispute Premier Nelson introduced coercive legislation, in the form of the Peace Preservation Bill, as a means of dealing with the situation.(59) A small military force was later despatched for the purpose of enforcing the new Act in those districts where it had been proclaimed, although by this time the strike was practically over.(60)

New weapons for a new situation.

On 4 July Queensland's Colonial Secretary, Horace Tozer, ordered the Police Magistrate at Winton to begin swearing in special constables to protect the town.(61) This followed the alleged destruction of the woolshed at Ayrshire Downs station by 20 unionists, while the employees were held at gunpoint to prevent any interference.(62) A police detachment under

(57). R.J. and R.A. Sullivan in Murphy (ed.), 95.

(58). John Merritt, **The Making of the A.W.U.**, MELB., 1986, 242-43. At least 8 woolsheds were destroyed in Queensland during the strike.

(59). Hugh Nelson was a grazier 'who perceived the law as an instrument of government', and therefore was prepared to consider pastoralist demands for government action against unionist outrages. Murphy (ed.), 96.

(60). Murphy, Joyce and Hughes (eds.), 123.

(61). **M.B.**, 5 July 1894.

(62). Ayrshire Downs lies approximately 30 miles from Winton. Several shots were allegedly fired during the incident. **M.B.**, 5 July 1894.

Sub-Inspector Lamond was quickly sent to the area. Although the Labour Federation in Brisbane had received little information concerning the strike, rumours were circulating that the shearers intended to wage guerilla warfare in the western districts.(63) However, the government decided to police the strike using only the civil arm of the law, mainly because of the expense of calling out the military in a colony in the grip of a depression. The Attorney-General, Thomas Byrnes, pointed out that the 1891 strike and the involvement of the Defence Force had cost the country around £100,000.(64) It had also aroused great hostility and therefore the military would only be requisitioned if the dispute developed into an insurrection. As a result of the economic downturn, a number of companies in the Defence Force suffered retrenchment or disbandment during the mid-1890's. High unemployment and other misfortunes including droughts in the west and flooding in the south meant that many officers and men were forced to seek work elsewhere.(65) Police were despatched to the west almost daily for strike duty, with instructions to protect those men who wanted to work, while anyone guilty of intimidation was to be arrested.(66) In 1894 Queensland had a total force of 800 police for a population of 400,000, or one officer for every 500 people.(67)

(63). *Ibid.*, 6 July 1894.

(64). QPD, 6 Sept. 1894, 482.

(65). *The Capricornian*, 14 July 1894.

(66). *M.B.*, 11 July 1894.

(67). QPD, 6 Sept. 1894, 490.

The Pastoralists' Association gave the shearers a deadline of 16 July to sign the new agreement. Following their continued refusal, blacklegs were engaged in Brisbane and the southern colonies to shear in Central Queensland. With six million sheep still to be shorn in the colony, the southerners were offered extended engagements, which meant a minimum of three sheds,(68) along with higher rates than those prevailing in the south.(69) On 24 July the first batch of 30 shearers and 10 rouseabouts left Melbourne by steamer for Rockhampton, arriving on 30 July. The men were landed at the Railway wharf and immediately transferred to a special train bound for Barcaldine, accompanied by police from Brisbane and blacklegs who had been engaged locally. The shearers were due to start work at Bowen Downs station and travelled the last 70 miles in three special coaches and a wagonette provided by Cobb and Co. The police provided a mounted escort on horses supplied by the pastoralists,(70) and throughout the dispute were present at stations shearing non-union, to guard the woolsheds and to protect the blacklegs against possible intimidation.

In 1894 there was never total support for the strike amongst the union shearers. While a number of sheds worked under union terms, many others accepted the U.P.A's. new agreement.(71) For example, in the Longreach district the pastoralists had little difficulty in obtaining labour. By September, 450 unionists were working under U.P.A. terms at Saltern Creek,

(68). M.B., 21 July 1894.

(69). Ibid., 14 July 1894.

(70). Ibid., 31 July 1894.

(71). Murphy, Joyce and Hughes (eds.), 122.

Malvern Hills and Northampton Downs. During the dispute, the Longreach branch of the Amal. W.U. failed to gain any sheds belonging to the U.P.A.(72)

There were numerous reports of violence throughout the strike, including the shooting of a man in the presence of police during roll-call at Coombemartin, a shed on the Wellshot run in the Longreach district.(73) Other incidents involving firearms include the shooting of a policeman at Tangorim on 30 July,(74) and an exchange of gunfire on 1 September between unionists and seven men guarding the Dagworth woolshed.(75) A number of woolsheds were also allegedly burnt by disgruntled unionists during the dispute. These included the woolshed at Cambridge Downs on 2 August, the largest station in the Hughenden district,(76) and the Cassilis woolshed, located 40 miles from Richmond, on 23 August.(77)

As a result of the violence, the pastoralists petitioned the government for additional protection, while in late July Tozer was asked to consider making it a misdemeanour to possess firearms without a licence.(78) In August,

(72). M.B., 14 Sept. 1894.

(73). *The Capricornian*, 28 July 1894.

On 28 Sept. Henry Prior was sentenced by the Rockhampton Circuit Court to six years' imprisonment for shooting the shearer Ashford. A.P.R., 15 Oct. 1894, 418.

(74). QPD, 6 Sept. 1894, 481.

(75). A.P.R., 15 Sept. 1894, 367.

(76). M.B., 4 Aug. 1894.

(77). A.P.R., 15 Sept. 1894, 367.

(78). Murphy (ed.), 96.

he prepared a manual with special instructions for police and special constables dealing with the violence in the bush. This outlined their *duty* to protect free labourers from violence and obstruction, and defined intimidation, unlawful assembly and riots. In the event of firearms having to be used, the manual recommended that gunfire 'should be directed to the leaders of a riot or assailants of the police, and, if possible, with effect. Firing over the heads is not to be allowed, as...innocent people in the rear may be injured'.(79) Similar instructions were issued by Colonel Price in Victoria during the maritime strike (see chapter 2).

On 5 Sept. 1894 the government introduced coercive legislation in the form of the Peace Preservation Bill, because this was viewed as a cheaper strategy to deal with the strike, rather than the option of despatching the Defence Force, should it be required. Under clause 5, the carrying of firearms or ammunition in a proclaimed district was prohibited. Other provisions deprived the population of basic civil rights, and included the power to arrest and detain a person for 30 days under a provisional warrant, or for 2 months under a special warrant. It also removed a person's right to refuse to answer questions on the grounds that such action might incriminate them.(80)

Premier Nelson justified the measures by claiming that certain parts of the colony were 'in a state of disturbance, amounting...to almost a civil war'.(81) In the course of the debate on the proposed legislation, a total of

(79). M.B., 29 Aug. 1894.

(80). Acts of the Parliament of Queensland, **Peace Preservation Act**, 58 Vic. No. 3, 1894; Murphy, Joyce and Hughes, 122-23; Murphy (ed.), 96.

(81). **The Capricornian**, 8 Sept. 1894.

8 Labor members were suspended from the Assembly.(82) The only other portion of the Empire ever to be placed under a Coercion Act was Ireland, and although the Queensland legislation was largely based on that of the British government, in some respects it was harsher. For example, in 1887 the Conservative Government amended its Act to allow the accused the right to a public trial, whereas in Queensland no trial was necessary and a person could be locked up at the discretion of the Governor. Also, the powers given to the Lord-Lieutenant in Ireland were being entrusted to Queensland's district magistrates.(83) In Queensland a number of violent incidents and arsons had been reported in areas outside the limits of the western termini of the three trunk railway lines, where police could not be quickly despatched. The offenders, allegedly union shearers, were described as being similar to the 'bushrangers of old, who kept clear of those centres where it would have been possible to send a sufficient force against them'.(84) Although 250 police had been despatched to the disturbed districts, only 2 men had been apprehended. As a result, the Police Commissioner had requested further powers to deal with the arsons and violence, while local Justices called for the Defence Force to be called out. However, the government argued that military intervention was too costly and legislation in the form of the Coercion Bill was viewed as a cheaper means of dealing with the trouble.(85)

(82). Murphy (ed.), 96.

(83). QPD, 6 Sept. 1894, 474.

(84). Crowley, *A Documentary History of Australia*, Vol. 3, West Melbourne, 1980, 434.

(85). QPD, 6 Sept. 1894, 481-82.

A public meeting was held in Brisbane on 10 September to protest against the introduction of the coercive legislation. Sir Charles Lilley, the radical judge who was sympathetic towards issues concerning the labour movement, described the measure as a 'tyrannical infringement of liberty', since it gave the government the arbitrary power of imprisonment.(86) Another meeting was convened by the Mayor of Rockhampton, at which the destruction of the woolsheds and the violence was condemned by a public which was largely law-abiding. One speaker, W. Kidston, pointed out that while it was the duty of the government to maintain law and order, the 'partiality of the Government in industrial disputes...had brought discredit on the phrase'.(87) The coercive legislation which was passed in Queensland was regarded as a panic measure on the part of the government. Three years earlier during the 1891 strike, the pastoral industry was virtually brought to a standstill and sheds were only reopened with great difficulty. However, the government did not request any special legislation to deal with the disorder which was far more widespread. In comparison, during the 1894 dispute the majority of sheds were working, while the woolshed arsons and violence were only committed by small bands of shearers.

Violence in the south.

In New South Wales (where the disorder was described as being 'far more daring', (88) with the burning of the steamer Rodney being a prime example of

(86). M.B., 11 Sept. 1894.

(87). Ibid.

(88). M.B., 7 Sept. 1894.

this) the government had not requested any similar powers as in Queensland or called upon the Permanent Force to assist the police. On 26 August the Rodney was boarded and burnt by an unknown number of unionists on the Darling River, while conveying about 45 non-union labourers to Tolarno.(89) By the end of August, three districts in the colony comprising the North-West, Bourke, and the South-West had been reinforced by an additional 4 officers and 164 police from Sydney and other parts of New South Wales(90) due to the strike.

A number of towns in the affected areas, including Hay, Wentworth and Bourke, requested additional police protection. In one instance, the Mayor of Wilcannia asked for 100 men following the destruction of the steamer. Inspector General Fosbery viewed these demands as unreasonable and beyond the power of the Government to comply with. Instead, he recommended that each town swear in 'law abiding citizens...in the emergency to act as Special Constables',(91) in order to supplement police ranks and to assist in maintaining order.

In New South Wales there were a number of calls for military intervention to disperse the shearers(92) but the government was not prepared to despatch such a force. While Fosbery stressed that the use of military

(89). Supt. Larkins to Insp. General, 26 Aug. 1894, 4/914.1, NSWSA.

(90). Fosbery to Principal Under Secretary, 28 Aug. 1894, 4/914.1, NSWSA.

(91). Ibid., 29 Aug. 1894.

(92). For example, David Elder, the general manager of N.Z. Loan and Mercantile in Melbourne, asked whether 'the Government...will send Police or Military to disperse mobs at Hay and other places'. N.Z. Loan and Mercantile Agency, Sydney, to Colonial Secretary, 8 Sept. 1894, 4/914.1, NSWSA.

force could become necessary at any time, he pointed out to the government that 'they would be of little use unless an act could be passed...similar to that in force in Queensland authorizing their service as Police'.(93) In the meantime, the demands on the police placed an enormous strain on those city and country districts which were left undermanned as a result of special duty during the strike. Since military assistance was unlikely to occur, Fosbery outlined a number of measures which could be taken in the disturbed districts. Firstly, he recommended that the Attorney General advise how far the police could act in dispersing those shearers camped in the neighbourhood of sheds employing free labourers, since these workers were allegedly being subjected to intimidation and assault. Secondly, the government should issue special printed instructions to the police outlining their legal powers and duties. Finally, the government should consider whether an Act of Parliament was necessary, 'rendering it illegal under certain circumstances for persons to carry firearms'.(94) The New South Wales government regarded the reports of shootings and violence seriously, and impressed upon Fosbery the necessity of enforcing the law. However, no coercive legislation was introduced similar to Queensland's, probably because the politicians believed that the strike could be policed by the civil force without resorting to extreme measures which would be highly unpopular. Accordingly, police ranks would only be strengthened with a military force once they could no longer cope with the

(93). Fosbery to Principal Under Secretary, 6 Sept. 1894, 4/914.1, NSWSA.

(94). Ibid.

situation.(95)

The situation in Queensland.

The Queensland government appointed the Principal Under-Secretary and District Magistrate, W.E. Parry-Okeden, to administer the Peace Preservation Act in the disturbed districts, once it became law. Fifty volunteers from the mounted infantry were sworn in as special constables to accompany him and placed under the command of a senior police officer.(96) In Rockhampton, there was some resentment in military circles towards the mounted infantrymen who were selected for duty, because of high unemployment in the region. Six companies from Queensland's Southern Division were asked to supply volunteers to serve in the Central Division. However, the local Rockhampton companies who were stationed in the area were not approached, despite the fact that a number of the ranks were seeking work. Rockhampton's Morning Bulletin reminded its readers that in 1891, 'the Government did not hesitate to call out the Rockhampton companies, and...a prompt response was given in every instance'.(97) Their willingness to serve three years earlier did not appear to have influenced the military hierarchy on this occasion.

The special force travelled by train from Brisbane to Bundaberg, and completed the journey to Rockhampton by steamer. From here, they travelled

(95). Telegram, Fosbery to Superintendents of Police at Bourke, Bathurst, Tamworth, Albury and Deniliquin, 8 Sept. 1894, 4/914.1, NSWSA.

(96). M.B., 13 Sept. 1894.

(97). Ibid., 21 Sept. 1894.

inland by rail to police the Longreach district but found their services were no longer required.(98) Longreach was now quiet because the local branch of the Amalgamated Workers' Union had decided to act independently and call off the strike on 10 September. The committee was forced to take this action because there had never been total support for the strike from the union shearers, and the pastoralists had little difficulty obtaining labour. The result was that currently there were approximately 450 men shearing under the 1894 agreement in the district. Another problem was a lack of funds, since it cost £500 per week to sustain the camps, and the branch already had debts amounting to over £600.(99) There was also the threat of coercive legislation from the government, in the form of the Peace Preservation Act once it became law, which would have discouraged the union from prolonging the strike. The shearers were keen to return to work and 9 sheds, including Portland Downs, Corona and Avington, were able to secure full boards almost immediately. Longreach's decision enabled the pastoralists to divert a number of blackleg labourers from Rockhampton to Townsville and send them into the Hughenden district.(100)

Parry-Okeden and his forces departed from Longreach on 18 September and moved into the Winton district.(101) The Peace Preservation Bill had been received by the Legislative Council and was currently being debated. However,

(98). *Ibid.*, 15 Sept. 1894.

(99). *Ibid.*, 14 Sept. 1894.

(100). *Ibid.*, 15 Sept. 1894.

(101). *Ibid.*, 19 Sept. 1894.

before the legislation was assented to by Queensland's Governor on 25 September, the Winton and Hughenden districts had conceded defeat and declared the strike off. Long, chairman of the Winton camp, attributed the loss to the defection of a number of union shearers, rather than to the government's legislation. The collapse of the strike in Queensland enabled the Pastoralists' Association to offer a number of non-union labourers, who had been engaged to work in the colony, to the New South Wales Association where the strike was still in progress.(102)

On 26 September the Peace Preservation Act was proclaimed over an area of 160 square miles, and included the towns of Hughenden and Muttaborra but omitted Longreach. The proclamation gave Parry-Okeden as District Magistrate the power to deal with any emergency that might arise. His duties included maintaining order and protecting property, and assisting the union shearers to find employment by working in conjunction with the Queensland Labour Bureau. Parry-Okeden reported that with the calling off of the strike, there was no longer any threat of combined action by the unionists. The only danger came from those men who were disappointed with the outcome and as a result might resort to violence or arson. Accordingly, police patrols would be maintained in the proclaimed district and property guarded until any threat had passed.(103) It was also illegal for anyone to be found with firearms in their possession.(104)

The special constables who were accompanying Parry-Okeden often failed

(102). A.P.R., 15 Oct. 1894, 418.

(103). M.B., 27 Sept. 1894.

(104). Ibid., 3 Oct. 1894.

to make a favourable impression during their period of service. The mounted infantrymen, who were dressed in a mixture of plain clothes and uniform, were described by the Capricornian as mostly being 'unfit for police duty' and 'utterly undisciplined and untrained'.(105) Their main task was to guard woolsheds on those stations where the police had been withdrawn. The newspaper highlighted the case of one infantryman who was charged in the Police Court with falling asleep while on duty at Vindex station. As specials, they received 8s. per day and an additional 3s.6d. night allowance while on duty but no rations were provided.(106) A number of the soldiers were also poor riders and the Capricornian concluded that it was a 'serious mistake' in sending the infantry into the district, since they were of such limited use'.(107)

Summary.

In 1891, the Queensland Government called out the colony's Defence Forces against the shearers, in a major show of force which was unprecedented in Australia. The employers were determined to crush the union in what was a continuation of the Maritime Strike. The shearers had little chance against such powerful forces and capitulated within five months. The following year, all attention turned to Broken Hill, as once again the owners set out to challenge the closed shop. At this point, a major change occurred in the policing of the strikes. The Government demonstrated a reluctance to bring the

(105). The Capricornian, 6 Oct, 1894.

(106). Ibid., 13 Oct. 1894.

(107). Ibid., 6 Oct. 1894.

Artillery down from Sydney. The reasons for this included the high cost of MACP, and the unique features of Broken Hill, which is an extremely isolated town and difficult to reach. There ~~was~~ also pressure from within parliament from Labour members not to use military force. As a result, the civil force was despatched and using military-style tactics, performed the task of breaking the strike without difficulty. Two years later, at the height of the depression, the Queensland Government also adopted different tactics from the last encounter. It chose to use the police to carry out patrols, backed up by coercive legislation and a force of specials from the military to enforce it.

THE 1913 WELLINGTON WATERFRONT STRIKE; MILITARY PREPARATIONSFOR CIVIL UNREST, 1919-21.The 1913 Dispute.

In the wake of the 1890 Maritime Strike which resulted in the smashing of the Maritime Council, workers in New Zealand sought political representation as a means of achieving reform. Five Labour members were elected to the House of Representatives in December 1890, while another 38 members received the support of unions and labour bodies,(1) ensuring that the newly elected government could not ignore the demands of labour. The Liberal-Labour Government introduced legislation on behalf of wage workers, including the Factories Act (1891), Industrial Conciliation and Arbitration Act (1894), and Workers' Compensation Act (1900). The IC&A Act was an important measure which provided a means of resolving industrial disputes. An Arbitration Court was established with a Supreme Court Justice as president, while unions and employers each elected an assessor to represent them.(2)

Under the new system of industrial relations, trade unions registered under the IC&A Act. However, by the early twentieth century many workers were becoming increasingly disenchanted with arbitration and viewed it as a means of controlling union demands. For example, in 1909 a new clause was inserted into an agreement between the Otago Shearers' Union and employers, making the union responsible for any strikes which occurred. The previous year, the Court

(1). Len Richardson, 'Parties and Political Change', in Geoffrey W. Rice (ed.), *The Oxford History of New Zealand*. 2nd. ed. Auckland, 1992, 201-02.

(2). Erik Olssen, *The Red Feds*. Auckland, 1988, 1.

also refused to grant an Award to farm workers.(3) By 1909 a number of unions had withdrawn from the arbitration system and registered under the Trade Union Act of 1878. The Federation of Miners and various other unions formed a new national Federation of Labour, known as the Red Federation. This organisation favoured direct bargaining and strike action as a means of achieving union demands.(4) New Zealand experienced increasing industrial unrest during the next 4 years, culminating in the waterfront confrontation of 1913.

A dispute at Waihi in 1912 was the forerunner of things to come. The local miners deregistered and joined the Red Federation in 1911, winning higher wages and improved conditions which the proprietors estimated would cost £30,000 a year. They responded by forming a new scab union under the IC&A Act, in an effort to cut costs. The miners went on strike in May 1912 as a result of the employers breaking an agreement by which they were bound to recognise only the official union. A few months later Massey's Reform Government sent a large force of police and special constables to Waihi, to protect blacklegs and to smash union opposition. The strike collapsed in November as a direct result of state intervention, defeating the efforts of unions in New Zealand and Australia which raised £35,000 in contributions towards a strike fund.(5)

The following year, the Federation of Labour convened a conference in Wellington to find a 'basis of unity'. The Congress was attended by 391

(3). John E. Martin, *Tatau Tatau - One Big Union Altogether*. Christchurch, 1987, 34.

(4). Richardson, in Rice (ed.), 212.

(5). Conrad Bollinger, *Against the Wind*. Wellington, 1968, 96-7.

delegates representing 61,000 workers. Two new organisations were established, the Social Democratic Party and the United Federation of Labour (UFL). The UFL endorsed the use of the 'strike weapon' and required affiliates to obey strike directives issued by the national executive. Employers viewed these developments with grave concern. Encouraged by the Waihi success and the response of the Massey Government, they became increasingly determined to destroy the UFL in the same way that employers had dealt with the Maritime Council in 1890.(6) The watersiders and seamen both had agreements which expired in February 1914, and employers feared that strike action would occur at the height of the export season as a means of reinforcing union demands. As a result, employers sought to provoke a fight with the unions as soon as possible, before the new UFL became too strong.(7)

The opportunity came with a minor dispute in Wellington which developed into a fierce struggle between the UFL and employers, backed by the government and the Farmers' Union. At issue was the payment of travelling time for shipwrights. The Union Shipping Company refused the union's claims for higher pay and set conditions, resulting in strike action on 18 October. The Shipwright's Union immediately referred the matter to the Wellington Watersiders' Union. On 22 October the watersiders held a stop-work meeting to discuss the dispute, thereby breaking an agreement with the employers. They decided to refer the case to the UFL, and it was this display of solidarity which precipitated a major conflict. The watersiders returned from the meeting

(6). Richardson in Rice (ed.), 215; Bollinger, 102-03; P.N. Pettit, *The Wellington Watersiders*. Wellington, 1948, 49.

(7). H. Roth, *Trade Unions in New Zealand*. Wellington, 1973, 37.

only to find that a number of their places had been filled by other workers. After a reshuffle, some watersiders who had been employed on various ships the previous day still found themselves without a job. This resulted in a second meeting of 1,500 members, who refused to accept any work until all the men were reinstated.(8) The following day, union pickets were posted on the wharves to prevent the recruitment of blacklegs. On 24 October the shipping companies employed a number of volunteers, mostly clerks, to unload several vessels. A large number of police and Harbour Board officials were unable to prevent union pickets rushing onto Queen's wharf and stopping the work. During the afternoon W.T. Young, president of the UFL, P.H. Hickey, secretary, and Paddy Webb, MP, met with the shipowners, who offered to reinstate the 1912 agreement. The watersiders rejected the proposals, which included accepting the old pay rate. A.L. Herdman, the Minister of Justice, later announced that police reinforcements would be obtained from the country districts, and warned that special constables might also be required.(9) At the outbreak of the dispute, only 34 police were available for strike duty in Wellington. By 5 November, the drafting of reinforcements had boosted the total to 126. The police maintained patrols on the wharves and in the streets 24 hours a day, with most men remaining on duty for 12-14 hours instead of the usual 8.(10)

(8). Olssen, 180-81; Pettit, 51-4; New Zealand Herald (N.Z.H.), 20 and 23 Oct. 1913.

(9). Olssen, 181; N.Z.H., 24, 25 Oct. 1913.

(10). Cullen to Minister of Justice, 10 June 1914, AAAC, Acc W3539, Box 21, National Archives (NA).

The Role of the Military.

An important question yet to be decided was whether the government should call out the military to provide MACP, as was the case in 1890. During the 1913 strike the New Zealand Military Forces were under the command of a British officer, Colonel Edward Heard, Chief of the General Staff. The General Officer Commanding, Major-General Alexander Godley, was absent in the United Kingdom and Heard, who had experience of MACP operations in Ireland, was reluctant to involve the army in policing the dispute.⁽¹¹⁾ His view was that military interference in labour disputes was unnecessary, except in cases where the civil authorities had lost control of the situation and lives and property were threatened. Massey recommended to the Governor that unarmed soldiers from the Royal New Zealand Artillery (RNZA) be authorised to replace the police in the streets, in order to allow the civil force to concentrate on guarding the wharves.⁽¹²⁾ Under the 1909 Defence Act, the RNZA could be deployed for such duties.⁽¹³⁾ Heard believed that it was not the duty of soldiers to act as police and if they were called out, it should be only as soldiers 'armed and prepared to use their weapons if called on to do so'.⁽¹⁴⁾

On 28 October Heard met with Massey, the Governor and the Minister of

(11). John Crawford, 'Overt and Covert Military Involvement in the 1890 Maritime Strike and 1913 Waterfront Strike in New Zealand', **Labour History**, No. 60, May, 1991, 72.

(12). Heard, 'Waterside-Workers Strike - October, November, December, 1913', AD 11 2/1, NA, 1-5.

(13). N.Z. Statutes 1909, Defence Act, section 17.

(14). Heard, AD 11 2/1, NA, 5.

Justice to outline his objections to any active participation by the Defence Department in the strike. The colonel was informed that the civil force lacked the resources to deal with a serious outbreak of disorder, while the public's response to advertisements for special constables had been extremely poor. Eventually both sides agreed that the best solution was for Heard to arrange for a force of mounted specials to be raised in the country districts for service in Wellington.(15) New Zealand was divided into 4 military districts and had a large militia almost 24,000-strong known as the Territorial Force, which replaced the old Volunteer Force. In comparison, the Permanent Forces comprising the New Zealand Staff Corps, RNZA and Permanent Staff numbered only 557.(16) The Territorial Force had the proper infrastructure for this type of operation, in the form of its mounted rifles regiments.(17) Heard made arrangements with Colonel Chaytor, commander of the Wellington District, for squadron commanders of the Mounted Rifles to recruit as many men as possible to serve as mounted special constables. The commanders would 'know all the likely men in their Districts, not necessarily the Territorials...but the Settlers, farmers &c'. This was a covert operation, because the officers were instructed not to act in any official military capacity but to give all names to the police, who would arrange for the transport of men and horses to Wellington. According to Heard, members of the Territorials were a minority in the force which was recruited.(18) The men were appointed as special

(15). Heard, AD 11 2/1, NA, 5.

(16). Report on N.Z. Military Forces, AJHR, Vol. 3, 1914, H-19A, 3, 6.

(17). Crawford, 73.

(18). Heard, AD 11 2/1, NA, 6.

constables under Section 32 of the Justices of the Peace Act (1908). Heard was concerned that the Territorial Force should not become directly involved in policing industrial disputes because of the need to maintain public support.(19) He instructed the District commanders of Auckland, Canterbury and Otago to be prepared to make the same arrangements in their areas in the event of the strike spreading. The next task was arranging for the recruitment of foot specials in Wellington. Heard ordered Major Hughes to contact various local athletic clubs, including his mates in the Wellesley Club, in the belief that a personal approach 'was more likely to have the desired effect than advertisements in the daily journals'. This resulted in 500 men being obtained in a very short space of time.(20)

On 28 October approximately 70,000 tons of shipping was lying idle in Wellington harbour. At a mass union meeting in Post Office Square, E. Caham, president of the Auckland Waterside Workers' Union, noted the presence of a Royal Navy cruiser and warned the strikers against clashing with such a disciplined force.(21) According to Heard, HMS Psyche was present 'quite by accident and without design'.(22) The officer in charge, Commander H.C. Carr, agreed to a request by the government to assist the civil authorities in the event of serious rioting in Wellington. Another vessel, the Pyramus, was ordered to Auckland for the same purpose but would be directed back to

(19). Crawford, 72.

(20). Heard, AD 11 2/1, NA, 6.

(21). N.Z.H., 29 Oct. 1913.

(22). Heard, AD 11 2/1, NA, 7.

(23). Carr to Admiralty, 28 Oct. 1913, Signal No. 4, Psyche Telegram Log, NA.

Wellington should the situation require its presence.(23) The Admiralty informed Carr that his forces were obliged to assist the civil authorities at the scene of a riot if ordered to do so by a magistrate. It also expressed concern that the Royal Navy could become involved in a labour dispute in the Dominions. Accordingly, Carr was ordered only to interfere should it become absolutely necessary, 'to avoid bloodshed or massacre'. The Admiralty found it difficult to believe that such conditions existed and advised the commander to use his own judgement in the matter.(24)

In Wellington, talks were held on 28 October between representatives of the UFL and employers but no agreement was reached. As a result, the Auckland watersiders were ordered to commence strike action the following day.(25) Arrangements were made by the Auckland Harbour Board to swear in special constables in order to protect its property. In Wellington, all work was at a standstill and the wharves were blocked by union pickets. Heard advised Cullen, the Commissioner of Police, not to take any action until the mounted specials arrived. He was concerned that any attempt to remove the pickets beforehand could precipitate matters and result in a request for direct military intervention, something the colonel wished to avoid.(26)

A difficult problem for Heard was where to billet the mounted specials in the city. There were no large empty buildings available, while an approach to the chairman of the Harbour Board to use warehouses on the wharves was flatly refused. Eventually, the Post and Telegraph Stores building was selected

(24). Admiralty to Carr, 28 Oct. 1913, Signal No. 3, Psyche Telegram Log, NA.

(25). N.Z.H., 29 Oct. 1913.

(26). Heard, AD 11 2/1, NA, 8.

but this location was later changed because the men could not be adequately protected. A number of other measures were taken, including the posting of guards over military stores in Buckle Street and the Kaiwarra magazine, while all arms in the hands of Territorials were recalled, 'ostensibly to be viewed by the Armourers'.(27) These precautions would help to ensure that no further weapons fell into unionist hands. Presumably, some members of the militia belonged to trade unions and doubts may have existed regarding their loyalty in the event of a violent confrontation with the authorities. Heard noted that all gunsmiths and ironmongers were sold out of small arms and believed that in the event of future disputes of this kind, an embargo should be laid on the sale of weapons.(28)

On 30 October the first mounted specials, approximately 20 in number, arrived in Wellington. Their presence resulted in outbreaks of violence on the city's streets. The Commissioner of Police ignored Heard's advice to concentrate the specials in Johnsonville and Upper Hutt until the force was strong enough to protect itself, and took them directly to the Post and Telegraph stores. A small police guard was unable to prevent a disturbance which resulted in missiles being thrown, forcing the specials to make a hasty retreat. Several incidents occurred later that day, due to the presence of foot specials enrolling at the Town Hall and a mounted force passing through Post Office Square.(29) As a result of the violence, a city magistrate was

(27). *Ibid.*, 7-8.

(28). *Ibid.*, 9.

(29). *Ibid.*, 8-9.

sent to the wharf in case it became necessary to read the Riot Act.(30) At the request of the Governor, Commander Carr ordered a company of bluejackets ashore armed with a Maxim machine gun.(31) The presence of a naval force on the wharf was designed to intimidate the crowd and shortly afterwards the strikers dispersed, making it unnecessary to read the Riot Act. As a result of these incidents, Heard reluctantly agreed to a request from Massey for the mounted specials to be quartered in the Buckle Street stores and the Mount Cook Barracks. The following afternoon the RNZA was called out to protect the specials, after receiving reports that a large crowd of strikers was approaching the barracks. Both ends of Buckle Street were immediately closed to the public and guarded by soldiers armed with machine guns. Heard justified the measure on the grounds that valuable government equipment was held in the Defence Department's stores, while the presence of the specials was merely incidental.(32)

On 31 October another 150 specials arrived from the Wairarapa. The men left their train at Lower Hutt and rode into town across the hills, because of fears of an ambush along the Petone road. By 2 November approximately 750 mounted specials were quartered at Buckle Street to assist the police, and several days later the number had risen to over 1,000. The successful recruitment campaign was due to the efforts of the Territorial officers and NCOs. Their ranks included station owners, farmers and farm labourers. In Wellington the services of the Permanent forces were equally important to

(30). Crawford, 74.

(31). Carr to Admiralty, 30 Oct. 1913, Signal No. 6, Psyche Telegram Log, NA.

(32). Heard, AD 11 2/1, NA, 9.

ensure the success of the operation, because the police had neither the facilities or the expertise to cope with such a large body of men.(33) For example, the civil force was unable to provide tents and a mess, or feed and a farriery for the horses. The specials lacked discipline, organisation and training, forcing the Police Commissioner to appeal to Colonel Heard for the assistance of his officers and NCOs. Without their assistance, 'the men...would have had to return home for want of commissariat arrangements'.(34) Colonel Knox, the Quartermaster General, provided accommodation and rations for the men. Local Staff Corps officers and NCOs organised the men into squadrons and provided training and drill. Colonel Campbell, the Coastal Defence Commander, was asked to take charge of the mounted specials but declined to do so. He recommended Colonel Newall, a N.Z. War Veteran and Heard subsequently appointed him, despite his age. Any misgivings were overcome by the appointment of Colonel Russell, commander of the Wellington Mounted Rifles Brigade, as a strong second in command.(35)

On 3 November a serious disturbance occurred near Mount Cook Barracks. It started with a large crowd of young men and women gathering to protest against the presence of soldiers, who were blocking both ends of the street in order to protect the special constables. Later that evening the police attempted to disperse the crowd, which resulted in missiles being thrown and the mounted specials making several unsuccessful attempts to clear the

(33). Ibid., 10-11.

(34). Cullen to Minister of Justice, 23 Dec. 1913, AAAC, Acc W3539, Box 21, NA.

(35). Heard, AD 11 2/1, NA, 11-12.

streets. The RNZA were drawn up between the crowd and the specials and also became a target for their anger, with one soldier suffering a serious injury. Eventually Major Hume, commander of the RNZA, addressed the crowd and persuaded them to leave peacefully.(36)

On 5 November Heard attended an important meeting in the Prime Minister's office, along with members of the Citizens' Defence Committee, shipping company and Harbour Board representatives, and the master of the Athenic.(37) The citizens' committee had been organised by Pryor, national secretary of the Employers' Federation, and kept watch over members of the federation in order to maintain solidarity in the showdown with the UFL.(38) The meeting decided to use the mounted specials to regain control of the wharves. A large quantity of produce awaiting export was beginning to deteriorate, and loading would commence on the Athenic the following day. Meanwhile, a number of racehorses were due to arrive that afternoon for shipping to Lyttelton and a column of 800 specials left Mt. Cook Barracks and occupied the railway wharf. The rear of the column was attacked in Featherston Street in the most violent confrontation of the strike. Rocks, iron bolts and other missiles were thrown, while some specials charged the crowd but few were caught. Although a number of police were present, the strikers ignored them and targeted the special constables.(39) This indicates that the strikers had respect for the police and did not regard them as the enemy. They were openly

(36). *Ibid.*, 12-13.

(37). *Ibid.*, 13.

(38). Olssen, 186.

(39). Heard, AD 11 2/1, NA, 13-15.

heard to say, 'Leave the blue police alone, go for the specials'.⁽⁴⁰⁾

On 6 November a large force of police and specials regained control of the wharves, allowing work to commence on the Athenic. The employers were responsible for the formation of a new union, the Wellington Wharf Labourers' Industrial Union of Workers, which was registered under the I.C. & A. Act. Similar unions were formed in Auckland, Christchurch and Dunedin. Following the union's registration and the resumption of work on the wharves, the UFL called a general strike. Most unions failed to support the action with the exception of Auckland and Wellington and it was called off shortly afterwards.⁽⁴¹⁾ A number of strike leaders were later arrested and charged with sedition, including Semple, Holland and Young,⁽⁴²⁾ further weakening the position of the unions.

In Wellington, Colonel Heard was no longer involved with the strike and was anxious to remove the specials from the barracks as soon as suitable accommodation could be found.⁽⁴³⁾ He was particularly concerned about the health risks due to the presence of a large body of men and horses living in a confined space. City sanitary authorities refused to clean the horse lines or the street, fearing a strike by city employees if any assistance was provided

⁽⁴⁰⁾. *Ibid.*, 15. This was not an unusual position for the strikers to take. For example, similar attitudes towards the civil force were displayed by the Newcastle miners during strikes in the late nineteenth century.

⁽⁴¹⁾. Pettit, 41.

⁽⁴²⁾. Roth, 38.

⁽⁴³⁾. Heard, AD 11 2/1, NA, 15.

to the camp. The mounted specials had become more efficient in their work and were able to patrol in groups of six. One of the lessons which Heard learnt from the strike was that an organisation was needed to deal with the specials once they were mobilised. Clearly, if it had not been for the assistance provided by the military, the 'position of the specials would have been hopeless since the police authorities were quite powerless to deal with the situation'.⁽⁴⁴⁾ He concluded that it was now unnecessary for the army to be called out to police labour disputes, since the citizens themselves, 'if properly organized, can easily cope with any difficulty arising out of serious strikes'.⁽⁴⁵⁾

There were major differences in the organisation which was provided for the mounted specials in Auckland compared to Wellington. No preliminary arrangements were made to accommodate the Wellington force and their arrival in the city was frequently unco-ordinated and in small numbers which were vulnerable to attack. In Auckland a military camp was established at Otahuhu to serve as a mobilisation centre, enabling the forces to be concentrated before moving into camp at the Auckland Domain.⁽⁴⁶⁾ The first group of 400 specials and staff officers of the permanent force arrived at the Domain on 6 November. Camp arrangements were supervised by Major Brown of the Quartermaster-General's Department who was sent from Wellington.⁽⁴⁷⁾ The following day approximately 1,000 specials were present under the command of

(44). Heard, AD 11 2/1, NA, 15-16.

(45). Ibid., 18.

(46). N.Z.H., 6 Nov. 1913.

(47). Ibid., 7 Nov. 1913.

Major McKenzie, forming two regiments.(48) Over 1,000 volunteers were also enrolled at the Courthouse to serve as foot specials. Most had prior military training and included businessmen, clerks and shop assistants.(49) The concentration of a large force of special constables meant that union pickets were unable to prevent the authorities from occupying the wharves on 8 November. The unions retaliated by calling a strike involving around 7,000 workers, which for a short time threatened to bring the city to a complete standstill.(50)

Across the country, approximately 16,000 workers took strike action in 1913, including 2,000 seamen, 4,000 miners and 5,000 watersiders.(51) Following the occupation and reopening of the wharves by specials in Auckland and Wellington, the Christchurch Employers' Defence Committee, which was co-ordinating the fight against labour, also prepared plans for the recruitment of special constables. On 14 November the committee demanded that the watersiders resume work immediately and accept the arbitration system. The strikers rejected this ultimatum and on 18 November prevented blacklegs from working the vessels in port, resulting in the enrolment of specials by Christchurch's mayor, Henry Holland. Approximately 1,500 volunteers were sworn in by 21 November, including 800 mounted specials from rural areas.(52) Colonel Chaffey, commander of the Canterbury Mounted Rifles Brigade, was

(48). *Ibid.*, 8 Nov. 1913.

(49). *Ibid.*, 6 and 7 Nov. 1913.

(50). Roth, 38.

(51). *Ibid.*

(52). Crawford, 78-9.

placed in command of the force. Members of Canterbury's Permanent Force assisted with training and the administration of the camps. On 25 November 700 mounted specials under Chaffey's command and a few regular police occupied Lyttelton's wharves in a carefully planned operation. As in the other centres, 'members of a new arbitrationist union were then brought into the port to take the place of the striking men'.(53)

By December union leaders realised that the strike was lost, with the major ports having been reopened and the employers still refusing to negotiate. As a result, the UFL was forced to call the strike off unconditionally and those watersiders who returned to work had to join the new unions.(54) The UFL, like the old Maritime Council in 1890, was now totally destroyed.

(53). *Ibid.*, 79.

(54). Roth, 39.

Military Preparations for Civil Unrest, 1919-21.

Following World War One, the New Zealand Defence Forces were reduced in size with the demobilisation of the 98,000-strong Expeditionary Force. The future of the armed forces appeared uncertain as the government sought to establish a peacetime military organisation which the Dominion could afford. In December 1919 Major-General E. Chaytor replaced General Robin as GOC. The following year he recommended a scheme which was eventually endorsed in November by both Houses of Parliament. New Zealand was divided into 3 commands, Northern (HQ, Auckland), Central (HQ, Palmerston North), and Southern (HQ, Christchurch), with GHQ remaining in Wellington. Each command would have an establishment of 7,000, comprising one Mounted Rifles brigade and one infantry brigade. A small permanent corps of approximately 500 officers and NCO's was retained to train the Territorial Force and Cadets.(55)

The immediate post-war period was one of uncertainty for both Capital and Labour. On 25 February 1919 Te Awamutu's Town Council asked Allen, the Minister of Defence, 'to ensure that an adequate organisation was available and armouries and explosives would be safeguarded in view of the evidence of strikes and Bolshevism rampant in the world and the attitude of Labour leaders in New Zealand'.(56) In 1913 the military had actively assisted the government to defeat the unions involved in the waterfront strike and in the prevailing

(55). W. David McIntyre, *New Zealand Prepares for War*. Christchurch, 1988, 46-51.

(56). *Ibid.*, 54.

climate of uncertainty, labour feared that this might be repeated. Fears of mass unrest resulted in the military making active preparations to supply the police with equipment to cater for a large force of special constables, in the event of their assistance being required. It also took steps to ensure that arms and ammunition did not fall into the hands of trade unionists.

In December 1919 the Director of Intelligence at the War Office in London, Sir Basil Thomson, requested information on the operation of revolutionary movements and plans for promoting sedition in New Zealand.(57) Shortly afterwards, Brigadier-General G.S. Richardson, Officer in Command of Administration, and J.O. Donovan, Commissioner of Police, were appointed to organise an intelligence system embracing the state's civil and military arms. Information would be gathered on workers' organisations such as the IWW and reports sent to the New Zealand government, as well as to London.(58) In the United Kingdom the post-war period from late 1918-'21 saw a wave of class conflict and strikes, and it appeared that 'the onset of revolutionary socialism...was now imminent'.(59) The Bolshevik revolution in Russia had resulted in concerns that this ideology would spread throughout the British Empire, threatening social and political order. The attitude of senior military officers in New Zealand was to assume that labour extremists were seeking to establish a Soviet system of government in New Zealand and to control trade and industry through organisations such as the Industrial Workers of the World.(IWW). In a number of countries including Germany, Italy

(57). Thomson to Mackenzie, in Mackenzie to PM, 8 Dec. 1919, AD 11 2/1, NA.

(58). Major-General Chaytor to Thomson, 12 Feb. 1920, AD 11, 2/1, NA.

(59). Morgan, Conflict and Order, 21.

and France, disturbances by armed workers had resulted in military forces being called out. The military's view was that New Zealand could become part of this overseas trend. There was also the fear that combined strike action by trade unions including the miners, transport workers, watersiders and those employed in the manufacturing and construction industries, could paralyse New Zealand's trade.(60)

Military preparations for possible civil unrest began in October 1919, when commanders of the military districts were warned to ensure that rifles were only sold to bona fide members of clubs. The formation of new clubs was not to be encouraged unless the members were well-known and approved.(61) In January 1920 schemes were prepared for the 'safe custody of arms and the protection of Government property' in the event of civil disturbances. While there were no plans to use the Territorial Force to settle labour disputes, district commanders were requested to satisfy themselves as to 'the attitude and reliability of troops', if requested to provide MACP.(62) In February Colonel H.R. Potter, commander of the Auckland Military District, was refused a request for 100 revolvers and ammunition to be urgently forwarded for issue to the Permanent officers and NCO's. These were required 'in the event of labour troubles', as Potter believed that the wearing of a revolver had a

(60). Memo by Brigadier-General Richardson for GOC and Commissioner of Police, 29 Sept. 1920, AD 11 2/1, NA.

(61). Richardson to Cols. Potter, Melville and Young, 31 Oct. 1919, AD 11 2/1, NA.

(62). Richardson to Cols. Potter, MacDonald, Young and Melville, 26 Jan. 1920, AD 11 2/1, NA.

great effect in the maintenance of law and order'.(63) He later repeated his request but Headquarters felt that it was 'inadvisable that revolvers should be issued', because there was 'much more chance of individual action' if the NCO's were armed with handguns than with rifles.(64) Instead of revolvers, each District was secretly sent 10 Lewis Guns and 5 Vickers machine guns.(65)

The Defence Department drafted instructions to all District and Area Group commanders of the Permanent Forces in September 1920, outlining what action could be taken in the event of serious labour disturbances.(66) These were approved by the Solicitor General, who admitted that the use of the Territorials to suppress unlawful assemblies and riots was 'left by statute in obscurity'. In England members of the Territorial Force were not liable to be called out to provide MACP, while in New Zealand these forces could only legally be used to protect their own armouries. When serving as special constables, the Territorials were not permitted to wear military uniforms or to carry firearms.(67) While the 1909 Defence Act made no special provision for the use of part-time soldiers, New Zealand's system of compulsory military training meant that in the event of an armed insurrection, all classes of the community would be called upon to suppress what was regarded as 'War levied

(63). Potter to GHQ, 2 Feb. 1920, AD 11 2/1, NA.

(64). Richardsdon to Potter, 29 Sept. 1920, AD 11 2/1, NA.

(65). Smythe to Director of Ordnance Services, 29 Sept. 1920, AD 11 2/1, NA.

(66). Richardson to Solicitor General, Sept. 1920, AD 11 2/1, NA.

(67). Solicitor General to Brigadier-General, i/c Administration, 16 Sept. 1920, AD 11 2/1, NA.

against the King'.(68)

The law relating to the suppression of unlawful assemblies and riots by the Permanent Forces was the same as that in force in the United Kingdom. These directions were outlined in the Manual of Military Law (chapter 13) and the King's Regulations (paragraphs 1238 to 1257). Under the Defence Act of 1909 (section 17), the Governor-General could order the Permanent Forces 'to act either in aid of or as a Police Force', investing the soldiers with the same powers and authorities as the police. Whenever possible, unlawful assemblies were to be dealt with by the civil force. If the military was called out to suppress a riot, force could only be used after an order had been issued by a magistrate, one hour after the reading of the Riot Act. Despite this, in cases where lives or property were endangered by rioters, the military could legally act without the presence of a magistrate or the reading of the proclamation.(69)

A memorandum outlining the military's options in the event of labour disturbances was prepared by Brigadier-General Richardson. He regarded the use of the military to quell strikes as undesirable, since it might lead to bitterness between soldiers and civilians. Richardson accepted that it was an unpopular duty and that the soldiers could not 'always be relied on to use arms against the civil population'. The only soldiers available for such duty were the Royal New Zealand Artillery and this force was too small to be effective. Ordnance personnel could also be used but were mostly untrained.

(68). Lieutenant-Colonel Andrews, *Summary of the Law as to Unlawful Assemblies, Riots and Insurrection*, Secret Copy No. 30, AD 11 2/1, NA.

(69). Ibid.

The Territorials could not be legally called out, while trade unionists including miners and watersiders were receiving compulsory military training, making it 'undesirable that this force should be used for such purposes'. Richardson concluded that the military should not be called out in the event of labour disturbances, while the civil force was too small to cope.(70) In 1920 New Zealand's police force numbered 916, including 743 constables, serving a population of 1.2 million people, a ratio of 1 to 1,325. This was a slight increase in the ratio compared to 1913, when the total stood at 846 for a population of 1.1 million, a ratio of 1 to 1,303.(71)

Richardson believed that a force of special constables, in the form of a Citizens Corps or Civic Guard, was the best solution to the problem of protecting life and property during strikes. Under this proposal, all citizens loyal to the state would register in Citizens' Protection Leagues. As well as providing protection, this organisation would ensure that trade and commerce were maintained during strikes.(72) Accordingly, one of its major roles would be to smash strikes by providing protection for blackleg labour. Leagues would be formed by local mayors without any involvement from the government, to encourage citizens to join irrespective of their political views. Although Richardson regarded the enrolment of any forces prior to a labour dispute as undesirable, secret committees consisting of the mayor, employers, police and Defence Department representatives, should be formed. Their function would

(70). Memo by Richardson for GOC and Commissioner of Police, 29 Sept. 1920, AD 11 2/1, NA.

(71). Annual Police Report, AJHR, Vol. 2, 1920, H-16, 6.

(72). Memo by Richardson for GOC and Commissioner of Police, 29 Sept. 1920.

include the collection of data on possible labour disputes and ascertaining the plans of strikers; registering people in the League in the event of civil disturbances; and making plans for the protection of life and property, and the maintenance of trade. The role of the Defence Department would be to act in an advisory capacity, to provide accommodation, and to protect government buildings and property.(73)

One organisation which made contingency plans was the Poverty Bay Industrial Emergency Committee. At the request of the New Zealand Employers' Federation, the Poverty Bay Employers' Association convened a meeting on 16 October with representatives from the Farmers' Union and Sheepowners' Union, resulting in the formation of the Committee. The organisation polled all farmers and employers, asking for volunteers to maintain essential industries in the event of strikes. The Defence Department was asked to supply 50 tents and 20 dixies, and for permission to use the local Garrison hall in the event of an emergency.(74) These requests were agreed to and shortly afterwards the equipment was sent to Gisborne, where it was held by the local Group Officer but would only be issued to the police in the event of an emergency.(75) Massey acknowledged the support of the Gisborne and Poverty Bay residents and hoped that their organisation would never need to be put into active

(73). *Ibid.*

(74). Poverty Bay Industrial Emergency Committee to R. Heaton Rhodes, 19 Oct. 1920, AD 11 2/1, NA.

(75). Lieutenant-Colonel Smythe to Officer Commanding, Wellington District, 1 Nov. 1920, AD 11 2/1, NA; R. Heaton Rhodes to Westbrook, 30 Oct. 1920, AD 11 2/1, NA.

operation.(76) Another organisation called the Citizens Loyal Protection League was formed in Wellington. While it made contingency plans 'to keep transport of vital supplies moving to the capital', these were never required.(77)

At the request of the Commissioner of Police, the Defence Department supplied camping equipment in December 1920 for distribution to various towns throughout New Zealand.(78) Its purpose was to provide accommodation for members of the Citizens Corps in the event of labour disputes. The chief distribution centre was in Wellington, scene of the 1913 waterfront strike. Commissioner Donovan asked that the distribution be kept secret, so as not to 'disclose that preparation is being made for industrial trouble'.(79) The equipment and supplies included tents, cookers, food and horse feed. These would be held at District Ordnance Depots and later issued to Group centres in the various towns at the request of the local police.(80) This was a secret operation and only the District officers were informed as to the purpose for which the equipment was required. Districts were told that the equipment might be utilised as mobilisation stores, while another reason given for its issue was overcrowding in the stores at Wellington. The police requisitioned almost

(76). Massey to Westbrook, 27 Oct. 1920, AD 11 2/1, NA.

(77). McIntyre, 55-6.

(78). Lieut.-Colonel Smythe to Officer Commanding, Wellington Military District, 1 Nov. 1920, AD 11 2/1, NA.

(79). Donovan to Brig.-General G.S. Richardson, 29 Nov. 1920, AD 11 2/1, NA.

(80). Lieut.-Colonel Smythe to District Headquarters, (All Districts), 23 Dec. 1920, AD 11 2/1, NA.

900 tents from the Defence Department to accommodate 4,150 foot and 2,450 mounted specials, a total of 6,600 men in 12 towns around New Zealand.(81) A breakdown of these requirements is shown below.

TABLE TWO.

<u>Town.</u>	<u>No. of Specials.</u>		<u>No. of Tents.</u>	<u>No. Issued</u>	
	<u>Foot.</u>	<u>Mounted.</u>		<u>31 Jan. 1921.</u>	
Auckland	1,000	500	200	303 Will supply Hamilton.	
Hamilton	250	200	60	0	
Gisborne	100	75	25	50	
Napier	100	75	25	0	
Wanganui	100	75	25	0	
Palmerston Nth.	200	125	45	100 Supplies Wanganui, Napier.	
Wellington	1,000	500	200	2,000 +	
Westport	100	75	25	0	
Greymouth	100	75	25	0	
Nelson	NIL	NIL	NIL	50 Supplies Westport, Greymouth.	
Christchurch	600	400	132	177 Will supply Timaru.	
Timaru	200	150	45	0	
Dunedin	400	200	80	80	

Source: Brig.-General Richardson to Commissioner of Police, 22 Dec. 1920, AD 11 2/1, NA.

(81). Richardson to Commissioner of Police, 22 Dec. 1920, AD 11 2/1, NA.

The camping equipment was issued until May 1921, when instructions were sent out for its return to Ordnance Stores at Auckland, Trentham and Christchurch.(82)

During this period a number of measures were taken to ensure the safe custody of arms and ammunition in the military districts, as 'civil disturbance was expected arising from a miners dispute'.(83) For example, on 1 October a decision was made to remove ammunition and explosives from the Kaiwarra magazine in the Wellington district, as a precautionary measure. A guard was also placed over Alexandra Barracks where weapons were stored, while bolts were removed from 4,000-odd rifles held at the Buckle Street stores.(84) A security scare occurred in Dunedin on 4 October, after a magazine at St. Clair was broken into and 3,000 rounds of small ammunition stolen. This resulted in further checks being made on armouries throughout the country.(85) In Invercargill, permission was granted to store 325 boxes of rifle ammunition in the local Borstal,(86) as it was considered to be more secure than the Drill Hall which was normally used.

In the event, no civil disturbances occurred and the citizens corps were never mobilised. Similar precautions were made during the depression in the

(82). Lieut.-Colonel Smythe to Commissioner of Police, 24 May 1921, AD 11 2/1, NA.

(83). McIntyre, 55.

(84). 53rd. Meeting, Reconstruction Committee, 1 Oct. 1920, AD 11 2/1, NA.

(85). McIntyre, 55.

(86). Controllor-General of Prisons to Brig.-General Richardson, 7 Oct. 1920, AD 11 2/1 NA.

1930's 'when camp equipment was again supplied and regulars sent to guard armouries'. However, on this occasion 'men from all three services would actually be called out to assist the police'.(87)

Summary.

The 1913 waterfront dispute, like the 1890 maritime strike, was partly provoked by nervous employers in an effort to achieve the destruction of a powerful union organisation, the UFL. The new United Federation of Labour was perceived as a serious threat to the interests of Capital, because it was prepared to strike with impunity and was growing stronger as more unions became affiliated. In 1890 and 1913 adequate supplies of blackleg labour were available due to the timing of both disputes, while the public failed to understand the deeper issues involved and were largely unsympathetic towards the union's case. In 1890 the military were fully prepared to assist the civil force, however in 1913 senior officers were unwilling for soldiers to act as police. The Defence Department was only prepared to intervene in the event of life and property being threatened, in which case armed troops would be called out. However, it was willing to use the territorial structure to obtain and mobilise volunteers who were prepared to serve as special constables. The police lacked the facilities and expertise to cope with the large body of mostly untrained men recruited by the military, and were forced to appeal to the Defence Department for assistance. Reluctantly, this was provided and eventually the specials were organised and given some training. They became strong enough to overcome the union pickets and reopen the wharves.

(87). McIntyre, 56.

In 1919-21 the military felt that it would be undesirable to use troops in the event of feared strikes and civil disturbances. As a result of the experience of 1913, plans were made for the creation of civic organisations as a means of monitoring union activities, and recruiting and mobilising special constables. Their role would be to protect property, and to ensure that the wharves remained open and industry was not affected. Materials were requisitioned from the military to provide camps for special police, while special precautions were taken to ensure the safe custody of arms and ammunition. These secret plans were aimed at fostering and training a large private army that would be class-based. Once again, recruits would be drawn mainly from country districts, to ensure that they had no trade union connections, for the purpose of waging war on the working classes. As a result of demobilisation and budget cuts after the war, the military forces were forced to rely on volunteers to perform a task which soldiers traditionally found distasteful, providing MACP. Officers would have a covert role in the training of recruits, in order not to arouse public concern regarding the Defence Department's administration of universal military training and the purpose for which a special force was being raised. In 1919, similar plans were made in the United Kingdom for volunteers to replace the military. This was the result of fears of industrial trouble, possibly by the Triple Alliance of unions. For example, plans were made for a Strike Committee to mobilise volunteers to drive trucks, and to form a Civic Guard to protect London. Geary points out that although these plans were not tested, 'the strategy of using volunteers to combat any disorder associated with industrial disputes was firmly established',⁽⁸⁸⁾ as was the case in New Zealand.

(88). Geary, *Policing Industrial Disputes*, 53-4.

CONCLUSION.

During the period 1879-1921, the involvement of the military forces in providing ACP during strikes can be divided into three distinct periods. Up until 1891, the military were directly involved in policing disputes. After 1891, labour turned to parliamentary methods to achieve its aims, and this led to a long term decline in violence and less of a need for MACP. It also resulted in governments seeking alternatives to military intervention, partly as a result of growing political pressure and the onset of the depression, which resulted in military cutbacks. The civil force was increasingly used to police strikes, often using military-style tactics, such as at Broken Hill in 1891. The third period begins in New Zealand during the 1913 Waterfront dispute, when Massey attempted to use the Permanent Force to police the strike. The military no longer wished to be involved with such duty, which was never popular anyway, and used the Territorial infrastructure to recruit mounted specials, to reinforce the ranks of the police. Following World War One, the Defence Department was requested to assist with preparations to break strikes and civil disturbances should these occur.

What was the justification for these operations? Intervention was frequently excused by colonial governments as being necessary to ensure that the law was upheld, and to defend the right of the individual to work without interference. Employers should also be free to negotiate directly with their employees, without the need for union involvement. If the purpose of MACP was to uphold the law by providing a deterrent

against disorder, and to defend people's rights, why was intervention not the direct result of violence and civil disturbances by strikers? Undoubtedly, striking unionists were viewed as potential lawbreakers and as a threat to public order and to property, since the strike was one of the dominant modes of social protest available to workers at the time. Yet, there was minimal violence prior to the military call outs in 1879-91. On some occasions, military intervention was an over-reaction to events by nervous governments anxious to assert their political authority, such as at Newcastle in 1879. However, the primary reason for military involvement was to support Capital in its fight to maintain its dominance over Labour.

This was a hegemonic situation, because the ruling class represented by the employers, were highly mobilised compared to the workers. Employers felt threatened by the growth of large unions and the formation of united labour bodies, such as the Maritime Labour Council. As a result, they formed their own organisations as a direct response to the growth of the labour movement. Hegemony was maintained by the State's repressive institutions consisting of the police, the military and the courts, as instruments of coercion, intimidation and control. This meant that the State was not neutral in the Capital - Labour relationship. Several options were available to the State to deal with strikes, namely conciliation and arbitration, or coercion and repression. The high level of repression and threat of state violence shows that the State was more interventionist than probably most people realised at the time. Also, many twentieth century theorists, including Gramsci, have tended to concentrate on ideological control, and ignored

the importance of armed intervention. Strikes brought workers into conflict with both Capital and the State, and governments tended to regard these contests as being unequal. Without direct intervention, industries which were vital to the economy could be halted indefinitely, as the unions had weight of numbers on their side. This meant that Capital and the banks faced huge losses, threatening British investment. Employers also had little prospect of obtaining non-union labour unless protection was provided. Therefore, military intervention was often the direct result of calls from Capital to assist in breaking strikes, in order to allow industry to operate.

There is little doubt that the presence of the military in providing MACP was a major factor in the outcome of industrial disputes. The troops were called out as armed soldiers, who were prepared to wage war against the working classes on behalf of the ruling class. Those being confronted belonged to the large new unions of semi- and unskilled workers, who were employed in vital mining, transport, and pastoral industries. Their importance to colonial economies meant that governments also had a vested interest in ensuring that strikes were ended as quickly as possible. One of the biggest advantages in using the military was that it appeared to be a drastic measure, bringing the power and prestige of the State to bear on local inhabitants. Workers and local communities felt strong resentment and a sense of moral outrage at the presence of the military, which was a violation of their right to picket to safeguard jobs, but did not take up arms against the State. The major grievances of workers were working conditions, wages and the right to work beside union members only.

Armed intervention meant that the fight between Capital and Labour was less than an even contest since employers, including the mine and ship owners, also had the financial resources for a long and protracted struggle.

The military were assisted by improvements in transport, communication and weaponry. The rapid growth of the railways meant that troops could be despatched immediately to most parts of the country. For instance, trains were used to carry mounted riflemen into Melbourne in 1890, and were valuable on the coalfields and in Queensland during the 1891 shearers' strike. Improvements in rifles and machine guns meant that the State could crush any opposition which was perceived as a threat, which was an important development for the purposes of coercion and control. Strikers in the maritime and mining industries were seldom armed, and were prevented from using violence and damaging property by the presence of coercive forces. In Queensland, the shearers mostly carried firearms and occasionally threatened blacklegs and used the firestick, but never challenged the military forces. In the course of providing MACP, the troops obeyed the principle that no more force than was necessary could be lawfully used to suppress a riot. The military were careful to obey the law, which was strictly defined under military regulations. MACP was not a popular duty due to the legal complexities. Magistrates were provided to read the Riot Act, and correspondence indicates that steps were taken to ensure that responsible officers were usually present to avoid any unnecessary shooting of strikers. Large numbers of troops were often despatched for strike duty, particularly to the coalfields in 1890 when 300 Permanent

Artillery, approximately two-thirds of the force, were called out.

One of the major concerns for the authorities highlighted during the strikes, was the question of the reliability and loyalty of workers serving as part-time soldiers. The troops selected to assist the Permanent Artillery in the cities were often rural-based and without trade union connections. Sometimes, station owners serving as officers in the militia accompanied their workers on strike duty, such as in Queensland during 1891 and Wellington in 1913. Volunteers were generally keen to serve, although there were some refusals from members of trade unions. A close watch was kept on Volunteer Corps based in areas under military coercion, and weapons and ammunition were often recalled to overcome any potential threat.

The main duty of the military was to reinforce the civil arm. There were numerous occasions when employers were unable to introduce non-union labour into the workplace, because the police were unable to provide adequate protection. The arrival of an armed military force usually changed that situation. On occasions, governments would refuse requests from employers for military intervention, either for reasons of political expediency or because the law had not been broken. This occurred in South Australia during the 1890 maritime dispute and at Broken Hill in 1891. Other options available to the State to coerce workers included the posting of proclamations, the swearing in of special constables, the reading of Riot Act, conspiracy trials and kangaroo courts. One of the best methods was to arrest the strike committee, which seriously weakened the position of the unions. Harsh fines and sentences were frequently imposed on strikers, although

some Justices were criticised for allowing bail and were felt to be too much a part of the local community.

Where the unions were weak, for example during the 1890's, MACP or the threat of it could tilt the balance. The State never surrendered the possibility of the use of this force, and strikers were always aware that they might not prevail in an industrial struggle.

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