

Wharf labourers, their unionism and leadership, 1872-1916

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Wharf Labourers, their Unionism and
Leadership 1872 - 1916

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Thesis submitted for the degree of Doctor of
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SYNOPSIS

The Sydney Wharf Labourers' Union was formed in 1872. Virtually destroyed by participation in the Maritime Strike of 1890, its revival was aided in 1899 by W.M. Hughes, its leader until 1916. In the period of his leadership stronger foundations were laid for the survival of unionism. This was also a period in which the wharf labourers shared in economic and social improvements made by liberal policies of Commonwealth governments.

Hughes was the founder in 1902 of the Waterside Workers' Federation which comprised union groups of wharf labourers throughout Australia, the Sydney group being the strongest. This Federation had the distinction of including more politicians in its leadership during its formative years than any other amalgamation of unions. The Sydney union was unique in that a Prime Minister was its general secretary at the time of his expulsion by the union.

A study of wharf labourer unionism in this period must also be a study of W.H. Hughes in his role as trade union leader. His influence was of profound significance. Under his guidance the industrial relations of the union with its employers were transformed. Traditional militancy was curbed and the labourers learned to negotiate with their employers through conciliation and arbitration. The shipowners became accustomed to dealing with the leaders of the federal body and with the Commonwealth Arbitration Court.

Hughes's persistence in restraining the militancy of the wharf labourers resulted in the making of the first Commonwealth arbitration award for casual workers. The

award marked the triumph of moderate opinion amongst wharf labourers. It helped strengthen the central body at the expense of sectional independence.

The conscription issue of 1916 caused the termination of leadership by politicians in the wharf labourers' union. The union had grown to maturity; the wharf labourers were able to provide alternative leadership from their own ranks.

ABBREVIATIONS

A.F.L.	Australian Federation of Labour
A.L.P.	Australian Labor Party
A.M.F.	Amalgamated Miners' Federation
A.S.S.Co.	Adelaide Steamship Company
A.U.S.N.	Australian United Steamship Company
A.W.A.	Amalgamated Workers' Association
A.W.U.	Australian Workers' Union
B.H.P.	Broken Hill Proprietary Company
C.A.R.	Commonwealth Arbitration Reports
C.L.R.	Commonwealth Law Reports
C.O.M.	Council of Management (also Committee of Management) of Waterside Workers' Federation of Australia
C.P.D.	Commonwealth Parliamentary Debates
C.S.S.O.A.	Commonwealth Steamship Owners' Association
F. & S.A.	Farmers' and Settlers' Association
I.W.W.	Industrial Workers of the World
L.A.	Legislative Assembly, New South Wales
M.L.	Mitchell Library, Sydney
M.W.L.U.	Melbourne Wharf Labourers' Union
N.S.W.L.C.	New South Wales Labor Council
N.W.L.U.	Newcastle Wharf Labourers' Union
P.A.W.M.A.	Port Adelaide Working Mens' Association

INTRODUCTION

The Sydney Branch of the Waterside Workers' Federation celebrated the centenary of the union in September 1972. The Waterside Workers' Federation was then in its seventieth year.

It is not generally known that the founder and first President of the Waterside Workers' Federation was W.M. Hughes, nor that he was also the General Secretary of the Sydney Wharf Labourers' Union from 1899 to 1916. The Waterside Workers' Federation has the distinction of having had, during its first fourteen years, more politicians on its council of management than any other federation of unions before or since. Two of the politicians, Fisher and Hughes, became in turn Prime Ministers of Australia while still members of the council. The Sydney union is unique in that it had a Prime Minister as its General Secretary, and furthermore that it expelled him from his union position.

A study of the growth of unionism on the Sydney waterfront and of the Waterside Workers' Federation, must also be a study of W.M. Hughes as a trade union leader until 1916. Less than a quarter of Hughes's nearly sixty years as a politician was spent in the leadership of the Waterside Workers' Federation. In the hundred years of the Sydney union he was an official for only seventeen years, a shorter period than many others of its leaders have held office. Yet while Hughes led the Waterside Workers' Federation and the Sydney union his influence was a dominant one.

The nature of work on the waterfront, together with the type of industrial relations existing between the powerful shipowners and their unskilled employees, engendered militancy amongst wharf labourers. Hughes firmly restrained this militancy, while advocating moderate Labor policies of peaceful settlement of disputes through conferences with the employers and through the arbitration court. In both areas it was Hughes who was spokesman or overseer. It was in this period of restraint of militancy that the wharf labourers learned the art of negotiating and dealing with their employers.

Again it was in the Hughes period that the sections of the Waterside Workers' Federation came to realise the benefits to be derived from a disciplined obedience to the leadership which represented the whole membership. By 1916 the wharf labourers had reached that stage of industrial maturity at which they could, paradoxically, dispense with the leader who had taught them their union craft.

The Waterside Workers' Federation records are continuous from its formation in 1902; those of the Sydney union are unbroken from 1889. In general the records of the other groups do not exist prior to 1917; all Melbourne material was destroyed in the 1950s. It is fortunate therefore for the historian that research is made possible for a study of the largest and most important branch, Sydney, as well as for the Waterside Workers' Federation (W.W.F.) itself; both bodies had Hughes as a leader in their formative periods.

CHAPTER ONE

1872 TO 1890

EARLY ATTEMPTS AT WHARF LABOURER UNIONISM ON THE SYDNEY WATERFRONT: INITIAL CONSOLIDATION.

What is now the Sydney Branch of the Waterside Workers' Federation began in September 1872, the same month and year that saw the foundation in Port Adelaide, South Australia, of what was to become the Port Adelaide Branch of the W.W.F. The latter can trace continuity of organisation from that time; the union of the Sydney wharf labourers received a number of checks in its development until it was firmly and permanently established in 1899.

The gestation period 1872-1899 was of profound importance for the development of the union after 1899. By 1890, the year of the Great Strike, the Sydney organisation of wharf labourers had become the strongest and one of the most important unions in Sydney. With the exception of the Seamen's Union, which can also trace its Sydney beginnings from 1872, there is

no other union of transport workers in Australia which can compare with the Sydney wharf labourers in strength and influence over the hundred years from 1872 to 1972.

Trade unions usually came into existence only when the economy had reached an appropriate level in the Australian colonies; thereafter their development ran parallel with the state of the economy. Many unions developed in New South Wales and in the other colonies; during the early 1870s up to the mid 1880s, a period of prosperity when employment was stable, the cost of living was falling and wages were rising.¹

The Sydney Trades and Labour Council was formed in 1871, when there was but a handful of unions in New South Wales. By 1889 there were 17 societies affiliated. By the end of June 1890 there were 53, with more expected.² The most vigorous formation period was in the second part of the 1880s, both amongst skilled and unskilled workers. This period saw not only new unions being formed, but also the revival of earlier ones. Development of unions had begun as early as 1851 and

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1. T.A. Coghlan, Labour and Industry in Australia from the First Settlement in 1788 to the Establishment of the Commonwealth in 1901, McMillan of Australia, 1969, Vol. III, p.1634
 2. Annual Report of Sydney Trades and Labour Council reported in Sydney Morning Herald 4 July 1890

had continued throughout the early 1860s. In all cases, with the exception of builders' labourers and coal miners, it was the skilled workers who combined, sometimes successfully, for the eight-hour day and increases in wages.

Only two of these unions were to outlast the boom conditions resulting from gold discoveries: the Amalgamated Society of Engineers, who brought their unionism with them from England,³ and the Typographical Association which also had its origins in the mother country.⁴

Builders' labourers shared necessarily in the temporary combination and successes of their skilled brethren. The semi-skilled coal miners had a long history of Scottish and English unionism⁵ but their attempts, beginning in 1861, were time and time again defeated by employers who had gained experience from the same source as their employees.

The objects of these early unions included the combination of all the workers of the relevant calling into the one society, protection against sickness and unemployment by means of benefit

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3. They actually formed the branch of the English Society on board ship on their way to Australia. See the Co-operator, Special Issue 7 October 1912.
 4. H. Pelling, A History of British Trade Unionism, G.B., 1965, p.23
 5. Ibid., p. 45 f.

funds, defence against the competition of foreign labour or the lowering of standards by an influx of insufficiently-trained labour, improvement of wages and conditions, and the eight-hour day. In some cases the employer was included as a full member or in an honorary capacity.⁶

The 15-year period of prosperity which began in Australia in the early seventies saw a considerable advance in unionism. With more than sufficient work available, most able-bodied men employed by the N.S.W. Government on its works of expansion were able to win advances in wages. The government had to pay 12 shillings a day to building workers and to concede the eight-hour day. Competing in this market, non-government employers were also forced to offer good wages. Not all workers were able to win an eight-hour day, though most who were organised did attempt to gain it. Conditions and wages in this period varied somewhat from year to year, and trade to trade, so that while gold mining was not a prosperous industry, coal mining was, and the coal mine owners had to make many concessions to their

6. N.N. Ebbels, The Australian Labour Movement 1850-1907, Sydney 1960, pp.73 ff.

miners. Newcastle miners had to work a 10-hour day, but as they were paid a hewing rate tied to the selling price of coal they could, when the price of coal reached the required level, earn as much as 12/6 per day.⁷

The most significant development amongst the unskilled workers in the 1870s was the organisation in the maritime industry. With workers elsewhere achieving some success in minimum wage rates and overtime payments after eight hours' work, seamen were in an unfortunate position. They received £4.10.0 per month, a wage which compared unfavourably with that of those workers on land who received free sleeping accommodation and food rations. A stockman or a boundary rider could earn as much as £75 for the year. Builders' labourers received 8/- for an eight-hour day.⁸ There was no limitation on the hours of work of a seamen. Speaking during the Maritime Strike in 1890 the Secretary of the Seamen's Union, T. Davis, said as one of the 100 men who first re-formed the union in Sydney in 1876: "Prior to the formation of the union we worked all hours ...

7. Coghlan op.cit., p. 1429

8. Ibid., p. 1430

Meanwhile steamship owners were laying down the bedrock of the great fortunes they have since made and which made the great capitalists of today".⁹

While making due allowance for antagonism shown to an employer during a major strike, it must be conceded that, without government competition or opposition and with little governmental control in an industry which required large capital outlay for its establishment, the shipowners seemed to be in a uniquely favourable position amongst Australian captains of industry. Royal Commissions which led to Merchant Shipping Acts in the Eastern colonies had exposed abuses of power such as tampering with the Plimsoll line, having insufficient life-saving appliances, and putting to sea in unseaworthy ships.¹⁰ As late as 1890 there were still examples of unscrupulous pressgang or "crimping" methods of gaining mercantile labour,¹¹ while Commonwealth Royal Commissions 1905-1906 were to reveal unhealthy and dangerous conditions provided for employees, coupled with enormous profits for employers.¹²

9. Sydney Morning Herald 25 August 1890

10. ed. John Norton, History of Labour Machinery, Labour Machinery Statistics Sydney 1887 p. 75

11. Sydney Morning Herald 2 July 1890

12. See Royal Commission on Ocean Shipping Service 1905-06, Chairman Josiah Thomas, and Royal Commission on the Navigation Bill 1906, Chairman W.M. Hughes

Seamen commencing ship work on Australian coastal ships could learn much about the nature of shipowners from older seamen born in the British Isles. There had been some experiences of unionism amongst British seamen earlier than the 1870s.¹³ British sailors had had a long radical record.¹⁴ Wharf labourers, on the other hand, could learn trade union ideas only in the Australian setting. The English dockers were much later than the Australian wharf labourers in achieving successful unionism. Wharf labouring was not considered a skilled occupation in the Australian colonies and there was little need for such work until the shipping trade made major developments in the late 1860s. The colonial wharf labourer was thus a home-made product. He could well have been an ex-sailor. He was as well a strong man who wished to do labouring work near his home in the area of the port.

As soon as ships called to discharge cargoes for the use of free settlers in the various Australian colonies a supply of shore labour was necessary to augment that of the ships' crews,

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13. J. Saville, Trade Unions and Free Labour in Essays in Labour History ed. A. Briggs and J. Saville p. 335
14. E.P. Thompson, The Making of the English Working Class G.B. 1963 pp. 183-184

and when and where they were able, the labourers would endeavour to take advantage of a particular situation to improve their own lot. Evidence exists to show that even in the isolated colony in Western Australia there was a strike amongst labourers employed in unloading a ship which had gone ashore in 1839.¹⁵

Such fleeting combinations do not necessarily make for unionism; it was not until the colonies' exports and imports became large and consistent, and several shipping companies had built wharves and warehouses, that a group of labourers could consider that their livelihoods necessitated the building of a stable protective organisation. In the late 1860s and early 1870s the shipping industry made major steps forward. Exports exceeded imports in value.¹⁶ With the development of steamships to carry on the brisk trade between Australia and Britain, and later Europe in wool, wheat, coal, metals and meat¹⁷ there came into existence several Australian shipping companies with headquarters in Sydney or Melbourne. These were:

15. Perth Gazette, 29 September 1839, quoted by H.J. Gibbney in Working Class Organization in W.A. from 1880 to 1902; p.10 unpublished Hons.Thesis, Archives, Public Library, W.A.

16. T.A. Coghlan, op.cit., p. 1609

17. T.A. Coghlan, Seven Colonies, quoted by B. Fitzpatrick in The British Empire in Australia pp. 167-173

the Tasmanian Steam Navigation Company, the Adelaide Steamship Co., the Newcastle Co., the Hunter River Co., the Clarence Richmond and Macleay River Navigation Co., the Illawarra Co., the Western Steam Navigation Co., Huddart Parker, the Australian Steam Navigation Co., McIlwraith McEachern, the Melbourne Coal Supply and Engineering Co., Burns Philp & Co.¹⁸ Ships of these companies plied regularly in the coastal trade (on the Eastern seaboard), the intercolonial trade and that between Australia and New Zealand and Fiji. There were in addition British ships carrying mail, passengers and cargo between Australia and the United Kingdom. The French Messageries Maritimes line operated between Australia and French ports, and a German line took Australian wool and other products to Belgian, Dutch and German ports. In addition to these regular lines there were calls, not so frequent, from ships of many other lands. The volume of shipping increased from fewer than 5,000 vessels aggregating under a million tons in 1851 to 16,987 with an aggregate tonnage of 16,235,213 in 1891.¹⁹

18. See statements by J. Ferguson, Secretary Steamship Owners' Association, Sydney Morning Herald 13 August 1890 & 25 August 1890

19. B. Fitzpatrick, op. cit., p. 167

It is obvious that there was need for a dependable supply of labour for the discharging and loading of such a volume of shipping. Since the arrival and departure times, as well as the amount of cargo, varied, the shipowners drew on three sources of labour: they used their own crews whenever possible; an auxiliary supply of "permanent" labourers was retained; when these two labour-forces were insufficient, extra casual labour had to be hired. The two latter groups were employed by the shipowners' agents. Because of the irregular nature of the work, the non-permanent men were paid by the hour.²⁰ The shipowner found it economical to have on hand "permanently" a much smaller group than the large number of really casual labourers. It was the genuinely casual workers, and not the "permanent" or "constant" men, who saw the need for building a union.

The handling of cargo on the overseas vessels required somewhat more specialised treatment than that of the inter-colonial and coastal ships. The holds of the deep-sea vessels,

20. This practice persisted until recently.

as they were called, were much larger than those of the Australian ones and the greater amount of cargo had to be carefully stowed for the long voyage in rough seas. Skilful stowage was known as stevedoring. A stevedore in the Australian colonies could be the experienced overseer supervising the stowage process, or an agent employing labour to perform the act, or the labourer himself. To differentiate the workers employed in the hold of the overseas ship from those who merely carried goods from the wharf to the ship or who worked on the smaller coastal vessels, the former were called stevedores or deep-sea men, the latter wharf labourers or lumpers, an old English word still used in Western Australia.

The deep-sea men were not only expected to show a certain skill; they also had to be very strong. Much of the cargo from and for the overseas vessels were heavy and cumbersome. There was too the necessity for speed to allow the overseas ships to keep to a schedule much more complex and important than that of local shipping. Deep-sea men would therefore be expected to work very hard for long hours until the job was finished. The work on the overseas vessels carried a certain prestige on the waterfront. Mere wharf labouring was considered inferior.

There were several reasons for labourers voluntarily choosing to work as wharf labourers. The work was not regular and it was heavy, often dangerous; furthermore the shipping news was not always reliable; a man might stand about for many hours in all kinds of weather waiting for a job. There was no shelter provided for the men, only for the valuable goods, so that work often had to be done in adverse conditions. Once the ship docked, the captain could afford no delay; the labourers worked with little pause until the cargo was shifted. Twenty-four hours "straight" was common and men sometimes worked for 48 hours or more. Even for a very strong man such brute labouring would have to be followed by days and nights of rest. On the other hand it would be possible to earn, in two or three days of concentrated labour, as much as "normal" work would bring in a week. It is possible to gain some inkling of attitudes of earlier wharf labourers by considering those of men of recent times, who had worked in the industry in "bad" times, and who did work basically similar to that of their predecessors. For these men the occupation carried some intangible advantages. There was a great variety in the work, according to the nature of the cargo, this variety having been lessened only recently with the introduction of "containerisation".

Much of the work was in the open air, this being preferred to indoor labouring. Working close to the sea attracts some, and to many there is still some appeal about working on and about ships from other ports, with their diversity of crews and cargoes. The work was at times very hard, but in the waiting-time and sometimes in the work time there were opportunities for conversation and mateship which had lasting appeal.

When colonial governments began to introduce navigation laws in the last quarter of the 19th. century, the shipping industry had a very bad reputation. Royal Commissions in the 20th. century were to disclose much evidence of crimping methods in obtaining seamen and carelessness in regard to safe working conditions. Visiting sailors could tell horror stories, as they drank beer with wharf labourers, of their hard lives on board ship. Wharf labourers experienced at first hand the behaviour of the ship masters or officers with bad reputations. The ruthlessness of the British shipowners, inheritors of fortunes gained from the slave trade, was legendary. Coloured crews on foreign ships were regarded by wharf labourers with suspicion rather than sympathy. The English-speaking or Scandinavian sailor, on the other hand, was a fellow-victim and

potential ally: "victim" because sailor and wharf labourer shared a common employer, often regarded as a common foe; "ally" because "wharf labourers' work", particularly in the case of a lean cargo, could well be seamen's work. It is not surprising that seamen and wharf labourers almost simultaneously attempted formation of their respective unions.

Maritime employees had nothing to lose by organising their separate groups in a period favouring labour. Both in Sydney and Melbourne, seamen made their first attempts at unionism in 1872, as did wharf labourers of Port Adelaide, Melbourne and Sydney. There were several advantages in combination for the Sydney labourers. The constant or permanent men retained by the shipowners' agents were, in the interests of economy, kept to a minimum number. The skill in loading and unloading large, heavy and unwieldy objects could be gained only by experience and this experience was valued by the overseeing foreman or stevedore, or ship's captain. Unable to join the ranks of the permanent men, the casual labourers could take advantage of their

availability to the employer when needed and the strength of their own numbers, to make demands for benefits the permanents neither requested nor received.

Eight shillings was a generally recognised daily wage for unskilled labourers in a number of industries in 1872. That amount could be earned by many in an eight-hour day. Waterside workers, on the other hand, had to work 10 hours a day for their 8/-.

In August 1872 a Seamen's Union was formed. Although the body lasted for a very brief time, it was able to win appreciable wage increases.²¹ The wharf labourers took action in the following month. On 13 September an announcement appeared in the Sydney Morning Herald: "Notice to the Working Men of the Wharfs [sic]. From and after Monday 16th of September. Wages 1/- per hour or 10/- per day. Meeting at the Oriental Hotel 7.30 Saturday night."²²

The meeting was held and another notice appeared on the following Monday: "Notice to Labourers Union - a meeting will be held at the Oriental Hotel on Tuesday at 7 p.m. to appoint

21. Sydney Morning Herald 1 and 9 August 1872

22. Ibid., 13 September 1872

a committee to form the rules of the society." This was signed by George Williams, Chairman. In the same issue of the newspaper a report headed "Lumpers Strike" reported that the wharf labourers had in their meetings of the past week carried unanimously "that the wages paid to men engaged on the wharfs [sic] were too low considering the prosperous condition of the colony and it was decided to strike for 1/- per hour day work and 1/6 per hour for night work."²³

A report later in the week described the meeting when the union was officially established.

A meeting of wharf labourers was held at the Oriental Hotel last Tuesday night. There were between 4 and 5 hundred present. The object of the society is to benefit the condition of the labourer socially morally and politically. A committee was elected. The meeting adjourned to enable the committee to frame the rules ... The utmost order and decorum prevailed and from the enthusiasm manifested there is no doubt but the society will become successful.²⁴

The strike failed and no further reference to union activity was made from 13 November 1872 to 1 October 1875. That unionism on the waterfront was still alive in these three years was

23. Ibid., 16 September 1872

24. Ibid., 19 September 1872

shown by a remark in a letter to the press from E.I. Aiken, Secretary of the Trades and Labour Council, in October 1875. He stated that he had joined the union "on coming to Sydney in the beginning of the year" thereby indicating that a union was in existence for him to join. This union was divided into two sections, the West Sydney Labouring Men's Association and the Labouring Men's Union of Circular Quay. On 13 August 1875 the secretary of the latter, Robert Raison, wrote to employers connected with shipping to inform them that "on and after 17 September a day's work for the members of this union shall be eight hours ... and the pay for such day's work shall be 10/-namely 6 a.m. to 4 p.m. in the summer and from 7 a.m. to 5 p.m. in winter ... 1/6 per hour overtime" (after 8 hours' work).

The owners for their part were not prepared to recognise the union. The circular was brought to the notice of the Chamber of Manufacturers and a committee made up of shipowner members was formed. The Chamber adopted the committee's

recommendation that all agents, owners and ship masters should avoid using wharf labourers for their discharging and loading operations, and should use the labour of their own ships, or other, non-union, labour. The wharf labourers' union retaliated by warning stevedore companies that if they loaned or hired out "any steam engines or horsepower or any other gear" during the strike to be used by non-union labour, the offending employers would be deprived of labour for 6 months after the resumption of work. The stevedores, the employing agents for the ship-owners, were at first inclined to submit to the union but they were quelled by the counter-threats of the Chamber of Manufacturers and the shipowners, and encouraged by the large number of free labourers which, it was reported, poured into Sydney from the country. It was the union that was forced into retreat. The strike lasted for three months. The Trades and Labour Council tried unsuccessfully to negotiate on the union's behalf. The employers refused to confer.

The Labour Council's secretary, E.I. Aiken, did not approve

of the "arbitrary" manner in which the union had attempted to achieve its aims. He did however express the belief that the union's claims were just. "While 1/3 per hour may seem high for unskilled labourers" he wrote, "it must be borne in mind that their work is of a very exhaustive and precarious nature. Very few, if any, average more than 3 or $3\frac{1}{2}$ days (per week) throughout the year". As one who had experienced work on the waterfront the writer commented.

I worked on Circular Quay amongst the navvies and found the work laborious ... and with many others think eight hours, honestly worked especially in the summer months ought to justify any reasonable person ... If possible I would compel all demands for increases of wages to be settled by arbitration when a satisfactory arrangement can be made between parties.

Commenting on a letter from T. Mort concerning the strike,

Aiken said

Mr. Mort also shows ... this colony being a paradise for the working man, having higher wages, shorter hours and cheaper foods than any other. I do not wish to differ from so high an authority but merely wish to add that rents are higher, steady situations very difficult to obtain and that all have not equal privileges...." 25

The shipowners remained implacable. They had been able to subdue the stevedores by threatening with dismissal any one of them who employed a unionist. With non-union labour freely available work proceeded on the waterfront with little inconvenience to the shipowners. The union withdrew its notices and acknowledged publicly that its actions had been "injudicious". The employers continued to ignore any negotiation attempts made by Labour Council or union, refusing to acknowledge in any way the union's existence. The men returned to work on the same conditions as before.²⁶

In this dispute the shipowners used tactics which anticipated similar action in the 1890 Maritime Strike. Refusal to recognise the union was to be, in the future, always a key issue. Coghlan throws light on another feature of this strike and of the union itself.

The wharf labourers' society had been constituted in a peculiar manner. It was a trade union, but the same officials and the same members formed also the "Sydney Labouring Men's Benefit Association", which was registered as a friendly society, the two societies meeting

²⁶26. Regular reports of the stoppage appeared in the Sydney Morning Herald from 1 October to 10 November 1875. Coghlan also describes the events in Labour and Industry in Australia p. 1433

on alternate Monday evenings for the transaction of their respective businesses. It is clear that the object of the founders of these societies was to secure for the funds accumulated for purposes of benefit the advantages offered by the Friendly Societies Act of 1873, while at the same time to make them available, if necessary, for purposes of trade disputes. This design, however, miscarried. The Benefit Association "lent" money during the strike to members of the trade union, and in August 1876 it sued some of these men for the return of sums so advanced. The men contended that the money was to be repaid only if the strike proved successful; the Association claimed that the obligation to repay was unconditional. In the issue the plaintiff Association was non-suited on the ground that a combination, like this union, which coerced its members to hold out against their employers, was illegal, and the money having been lent for an illegal purpose could not be recovered.

This case had ramifications for all trade unions in the state. There was no Act in New South Wales for the protection of trade unions. The government's attention was drawn to the need for such an Act by the wharf labourers' case and a Bill was introduced. It was not passed however, and the unions had to wait until 1881 before registration and protection of funds became a matter of law.²⁷

27. T. Coghlan op.cit., pp. 1433-1434

Through collective bargaining the union finally gained 1/- per hour. In the latter part of 1882 while the colony continued prosperous there were a whole number of strikes by workers who were perhaps "unsettled" by a general prosperity which gave full employment but not increases in wages.²⁸ A seasonal increase in the retail prices of meat and dairy-produce and a lift in house rents would most certainly have caused unrest. Some skilled workers gained wage increases but wharf labourers, now regrouped under the name of the Sydney Wharf Labourers, were unsuccessful in their demand for an increase of 3d. per hour. A comparison with the builders' labourers wage of 9/- per 8-hour day might indicate that the wharf labourers' 10/- for a 10-hour day was fair for the time, but one must take into account the irregularity of the casual work available on the wharf. The wharf labourers themselves certainly considered that they needed an increase.

The men's demands were contained in the following letters to the companies:-

28. Ibid., p. 1440

Sydney, October 27th., 1882

"Sirs,

At a general meeting of wharf labourers, held last night, we, the undersigned, were requested to bring to your notice and consideration that owing to the high price of provisions and living in general ruling in Sydney at the present time, that at the present rate of wage, 1/- per hour, we are not able to maintain our families in a comfortable and respectable manner as we should do. We, therefore, humbly pray that you will kindly take this into consideration and grant us an increase of 3d. per hour day work, the wages to remain the same as at the present time for night work. Hoping to receive a reply not later than the 31st. instant, we remain, your obedient servants,

JOHN WARREN, Chairman
THOS.P. WELAN, Secretary".

In announcing the strike the daily newspaper's comment was

Yesterday morning all men without a single exception who are employed in the work of unloading and loading ships in this port went on strike for an advance in their rates of payment.

The strike is entirely confined to casual hands who number about 1,000 men, all of whom could find regular employment just now. Such a movement at this time means almost a total stoppage in the shipping trade.

There were a thousand men who chose to work as wharf labourers when work elsewhere was plentiful. Once again the shipowners remained adamant in spite of a humble plea from their employees.

Price's Family Hotel, November 6th, 1882

Sirs....This is to certify that the lumpers employed on the wharves are kindly asking you for an increase of wages of 3d. per hour owing to things being so dear. A Committee of four will wait upon you at the Chamber of Commerce at 10 a.m. on Tuesday for an answer.

Hoping you will give it a kind consideration, we remain your humble servants,

LUMPERS OF THE WHARF.²⁹

They were defeated however, as they were when they made another bid for a wage increase three years later.

The wharf labourers did not merely come together in a combination for occasional battles with the employer. The Sydney Trades and Labour Council, formed in 1871, was always at hand, aiding unions with advice and organising the cooperation of other unionists when necessary. Their very presence was a morale booster. In addition, wharf labourers and seamen were strong enough in numbers and union consciousness to form by 1884 a Maritime Council as a federation of all unions connected with the shipping industry i.e. wharf labourers, seamen and coal lumpers with later, ships' cooks and stewards and draymen and trolley

29. Sydney Morning Herald, 11 November 1882

drivers. Almost as soon as the Council was formed the seamen became engaged in a dispute concerning the Californian mail steamer the Zealand. The seamen's union called on the wharf labourers and the coal lumpers to cease work which they promptly did. Unfortunately when the Wharf Labourers' Union discussed the matter officially it was decided that the union had been by-passed by the seamen. Estrangement followed and the Maritime Council temporarily ceased to be effective.

1881 had seen the passing of legislation legalising trade unions in N.S.W. and many more unions came into existence. The annual Eight-hour Day procession became an occasion of great importance to all unions and was earnestly supported by the wharf labourers who by the middle of the decade had the numbers to outshine all the other unions. They also held (and still do) an annual picnic. The picnic in this period was preceded by some form of political or educational display. "Next to the eight-hour demonstration" writes a contemporary observer, "the wharf labourers' procession is the most effective display in the city

of Sydney. Two thousand generally march; there is always a fine display of banners, and several allegorical figures representing great discoveries or naval celebrities. The annual picnic after the march is always looked forward to."³⁰

Meantime other ports in Australia were following Sydney's lead in forming unions of wharf labourers. Encouraged by the Sydney grouping, by combinations of seamen and by legalising acts, maritime workers in all the major ports had some form of organisation by 1885; the Sydney wharf labourers could call for fraternal aid in their strike of that year. With the exception of Western Australia (where wharf labourers were organised in 1889) all the colonies in the continent had strong labour councils to which maritime unions were affiliated.

The shipowners also had their organisations in Sydney and Melbourne. In addition, Melbourne as early as the middle of the decade had an Employers' Union, which on two occasions in 1885 associated itself with the Trades Hall Council in the settling

30. J. Norton (ed.) op. cit., p. 74

of major disputes. The former of these disputes involved the boat trade, the latter wharf labourers. The successful ending of this dispute which arose out of an argument about the right of Melbourne wharf labourers to participate in the annual eight hour procession, otherwise to be paid extra, had important results for wharf labourers and other workers. Firstly, Melbourne wharf labourers gained the 8-hour day, overtime rates, and special rates for particular cargoes, as well as other improved conditions; secondly with the aid of an outside arbitrator, Professor Kernot of the University of Melbourne, the two sides came to an agreement which could be called the first arbitration award in Australia, the conference of representatives being described as the Board of Arbitration. A third result was that the wharf labourers formed two unions, and by 1889 there were 1,000 members in the Melbourne Wharf Labourers' Union, and another 500 in Port Phillip, known as the Port Phillip Stevedores Union.³¹

With 2,000 men enrolled in their ranks the Sydney Wharf Labourers' Union was one of the biggest urban unions in Australia. These

31. J. Sutcliffe, op.cit., p.59 ff.

workers however were not only unskilled but in many cases illiterate. The free, compulsory and secular education provided by the N.S.W. Act of 1881 would benefit a later generation; the men of this decade found the organising and management of a union a laborious matter. The recording of minutes of meetings was a difficult task.³² While the initiation fee was still 1/- it took many months to resolve the contentious question of whether the contributions should be collected at the rate of 3d per week or 5/- per quarter. But there were no noteworthy clashes with their employers in the second half of the decade and while shearers, coalminers and printers were all engaged in disputes, the wharf labourers learned the art of union development, earnestly discussing questions of hours and wages, means of stopping ships' captains from discharging their own cargo and "binding themselves together that they shall not work with non unionists".³³

By 1889 the S.W.L.U., not having had any costly strikes

32. The records kept prior to 1899 indicate this difficulty. There is no sign of the sophistication shown for example in the minutes of the Typographers.

33. Quoted by T. Nelson, The Hungry Mile, Sydney, 1957, p. 22.

during a period of full employment was able to charge 5 guineas as an entrance fee, making membership at the union, for a brief period, a very expensive matter. The union was in a sound position in all manner of ways, and began looking outwards to help trade unionists outside their own immediate circle in the N.S.W. Maritime Council. Their first experience of fraternal aid was to become an exciting section of international labour history.

Early in August 1889, wharf labourers in England went on strike. The London dockers were not yet organized into a union; their wages were low; they wanted a guarantee of 6d. per hour with 8d. per hour overtime and a minimum daily wage of 2/-. They put their case into the hands of Ben Tillett who set out to win them support in London and from unions and from the public elsewhere. While conducting negotiations with the strikers, the owners began importing blackleg labour on a large scale.

But suddenly at the end of August astonishingly large contributions to the dockers' funds began to flow from Australia - the one part of the world where

labour was already better organized than in England and where fraternal feeling for their kinsfolk in Britain was especially strong. The total aid sent from Australia to the dockers amounted to about £30,000 in all; but the first sums were decisive in giving the strikers fresh confidence. 34

The Sydney wharf labourers at a special meeting had opened a campaign to aid their London brothers by donating £500, the largest amount donated by any single organization.³⁵

Other details of the campaign to help the London Dockers show the political climate in which the S.W.L.U. became prominent. Joining with the Sydney Trades and Labour Council they organized a mass meeting at Sydney Domain when a crowd estimated at 75,000 subscribed £1,000. G.R. Dibbs and G.H. Reid were on the platform and Reid "in a long speech praised the Trades and Labour Council and the Wharf Labourers' Union. He looked on them as the noblest of men".³⁶ A week later another mass meeting was held with a procession before the meeting and "the Wharf Labourers were strongly represented".³⁷ Public feeling was so moved that the Rev. Dr. Jefferis, preaching at the Pitt

34. H. Pelling op.cit., p. 100 f.

35. S.W.L.U. Minutes 30 August 1889. Held at offices of Sydney Branch W.W.F.

36. Sydney Morning Herald, 9 September 1889

37. Ibid., 16 September 1889

St. Congregational Church, took as his text "The Strike of the London Dockers" and a responsive congregation gave £52.15.2 in a special collection.³⁸ Another section of Sydney maritime workers, the Coal Lumpers, gave £250, while Brisbane wharf labourers sent £150 and other unions and public meetings throughout Australia brought the total up to the £30,000.

The sequel to the strike of the dockers was their victory in the "tanner an hour" demand, the establishment of their union on a permanent basis with 30,000 members, Ben Tillett becoming the first full-time Secretary and Tom Mann President.³⁹ Thereafter a close relationship existed between the Sydney Wharf Labourers' Union and their London counterpart.

There were to be three very important events in which the S.W.L.U. was involved in 1890; a conference to get a federation of all Australian wharf labourers, a trial of individual strength between the S.W.L.U. and the shipowners and the much larger engagement known as the Maritime Strike. The Sydney union

38. Ibid., 9 September 1889

39. H. Pelling, op.cit., p.100

continued on its successful way. January 1890 saw steps being taken to bring about the all-Australian federation of wharf labourers, which if it were achieved, said a newspaper report, would be one of the strongest unions in the southern hemisphere; it would number between 12,000 and 15,000, the Sydney Union itself consisting of 2,500.⁴⁰ By the end of March the delegates had arrived in Sydney representing New Zealand,⁴¹ Hobart, Melbourne, Adelaide and Brisbane and also the smaller ports of Newcastle, Port Pirie, Port Augusta and Launceston. Not only was the Sydney organization represented but delegates came as well from the Sydney Coal Lumpers' Union. The president was A.J. Kelly, a leading member of the Sydney union. (As President of the Sydney Trades and Labour Council for a time, he had presided at one of the monster meetings in the Domain concerning the London Dockers).

A mayoral reception was held for the delegates, with Mayor Burdekin expressing the hope that by their labours, strikes would be avoided and councils of conciliation and arbitration formed. The delegates in reply stressed that there were no obstacles between

40. Sydney Morning Herald, 6 February 1890

41. While New Zealand was represented there was actually no stable organization of wharf labourers in N.Z. until 1910. See P. Pettit, The Wellington Watersiders. The Story of Their Industrial Organization, N.Z. 1948 p. 12 ff.

capital and labour, that there was need for a balance between the two, that trade unions had not been started for the purpose of crushing capital and there was no reason why there should be any antagonism between the two forces. A conference took place with never a jarring note and at the final banquet when the toast was "The Federated Wharf Labourers of Australia" it was agreed that with "the employers beginning to federate there should be an end of trouble between the two".⁴²

The conference reflected the general attitude which prevailed regarding the employer. The S.W.L.U. in its first set of rules published in 1890 showed a sober respect in a rule which coupled the union with the employer viz: "No one to spread wilful and deliberate false reports about the foreman the employer or the union".⁴³ The violation of any of the working rules was punishable by quite heavy fines and ultimately a possible dismissal from the union.

The set of rules published in 1890 was a revised version of those which the union had worked out in the preceding decade.

42. Ibid., 27 Mar. - 4 April 1890

43. S.W.L.U. Rules Sydney 1890. Rule 17 of Working Rules section.

There were two sections: the objects, which shall be examined later, and the working rules. The latter were being discussed while the "Federation" conference was taking place, and encompassed broadly the same matters. What seemed like realistic, short-term, aims were included in these working rules: the eight-hour day to be worked from 7 a.m. to 5 p.m. at 1/- per hour with payment for two hours of meal breaks and "smokeohs" bringing a daily rate of 10/- with overtime at 1/6 per hour; all wharf labour to be done by union labour. The latter was to be achieved by the constant men being allowed by their employers to join the S.W.L.U.

The campaign which ended in almost complete victory for the union, lasted for over half the year, beginning in January and ending just before the disastrous Maritime Strike of 1890. It took the form of getting the employers' agreement for the registering of the Rules under the Masters and Servants Act. The new code was sent to the employers' association, known as the Employers' Union, for their opinion. They replied that "in numerous cases they did not meet with the approval of this Union."⁴⁴

44. Report of official reply from Employers' Union to S.W.L.U. in Sydney Morning Herald 13 Feb. 1890.

The S.W.L.U. called a special meeting, and understanding that the chief objection of the shipowners was to their eight-hour day proposal, made arrangements for the aid of the Trades and Labour and the Maritime Councils in having joint conferences with the employers.⁴⁵ Simultaneously the employers' organisation met and, surprisingly, said that "they had no objection to their employees joining the union"; but that if there were a strike "there would be no fear of a scarcity of men", the chairman expressing the wish "that the masters would help each other in the event of a strike."⁴⁶

After a month during which the press reported very large attendances at meetings of the S.W.L.U.⁴⁷ it appeared that the employers did not object strongly to the S.W.L.U.'s desire for a "closed shop" (or ship). In their discussion with the owners there had been disagreement about Rule 15 viz. "Constant men to be allowed to join the union on regular weekly wages of not less than £2.4.0 for 44 hours actually worked per week and bona fide constant men to be worked with under the eight-hour system".

45. S.W.L.U. Minutes 19 February 1890

46. Report of "Employer Meeting" Sydney Morning Herald 20 February 1890

47. Sydney Morning Herald 27 February 20 March 1890.

At their meeting on 19 March the wharf labourers were told "the employers were wanting to reserve the right to themselves of employing who they liked and pay them what they liked". The meeting decided to have the matter "fully discussed as it deserved to be" at the forthcoming "Federation" conference, and to submit a manifesto of the rules to the Maritime and Trades and Labour Councils.⁴⁸ The press also reported the steamship owners' objection, that they wanted the S.W.L.U. to add to Rule 15 the words "but freedom of contract to be left to the employers", that they also strongly objected to the ideas of an eight-hour day with two paid $\frac{1}{4}$ -hour smokeohs, that the S.W.L.U. had decided not to alter any rules.⁴⁹

Negotiations continued between the S.W.L.U. and the Employers' Union, with the Maritime and Trades and Labour Councils' aid, during April and May. By the end of that month while the steamship owners still declared that they wished to employ constant labourers at £2.8.0 per week and 10 hours daily,⁵⁰ the union became impatient. In spite of pleas of caution from the President

48. S.W.L.U. Minutes 19 February 1890

49. Sydney Morning Herald 20 March 1890

50. Ibid., 26 May 1890

and Secretary of the Trades and Labour Council who "strongly advised them to accept an agreement with the Masters" and "trusted that a strike would be averted" the S.W.L.U. notified the employers that the rule had been passed; the standard rate was to be 1/- per hour for all hands, constant and casual, the hours to be eight daily with 1/6 per hour overtime. All the rules would come into force from 1 July and trade societies in the whole of Australia would be made aware of the S.W.L.U.'s decision.⁵¹

The union prepared for a strike and were encouraged by the receipt of 200 letters and telegrams of support from labour organisations throughout the colonies.⁵² The steamship owners also made their preparation. The secretary of the owners' association Mr. J. Ferguson made a statement to the press indicating that all employers, merchants and importers were prepared "to act unanimously in the present crisis". They had been prepared to pay the men 1/6 per hour overtime for work done after 8 hours whereas previously they had paid 1/- per hour for 10 hours, but now had two further difficulties with their employees: they

51. S.W.L.U. Minutes 24 May 1890

52. Sydney Morning Herald 19 June 1890

wanted 1/3 per hour as a special rate for "bagged stuff" yet would not define what they meant, and the employers knew that in a few months they would be wanting 1/3 per hour for all descriptions of work in the busy season; nor would they sign an agreement that there would be no further demands for 12 months, and the employers insisted on that assurance.⁵³

Clearly the owners were prepared to make some large concessions to avert a strike, and a settlement was made before the month ended. Mr. McKillop, President of the S.W.L.U. since early 1890 had been approached by J. See M.L.A. and shipowner, who had suggested arbitration to avert a strike. McKillop had not thought this possible but See had returned to the employers with the proposal, and acting as mediator had organised a meeting of the two parties, 5 delegates each. As a result the eight-hour system and the wage increase were accepted by the employers who also finally agreed to allow the constant men to join the union on regular wages of not less than £2.4.0 for 44 hours actually worked per week between agreed working hours, i.e. the eight-hour system

53. Ibid., 24 June 1890

to be applied to the constant men. McKillop reported having reached agreement with the employers, that they had never been inconvenienced through lack of labour because the union had 1,892 men on their books which was sufficient for the shipowners' needs. After the conference McKillop considered "they'd won a great victory over the constant men question. In a few days or a few weeks there would only be a few constant men and they would be members of the union". The union had made a compromise concerning the smokeoh issue, agreeing on $\frac{3}{4}$ -hour instead of $1\frac{1}{2}$ hours, thereby losing 6d. per day on what had been asked. But the union was the gainer of 1/- per day with the 10/- for 8 hours work and $13\frac{1}{6}$ for 10 hours.

The S.W.L.U. and its leader Mr. McKillop were congratulated by the Seamen's Union, by the Maritime Council and the Trades and Labour Council and many others, all heartily approving the ability of the union in its successful negotiations with the employers.⁵⁴ The union was marked out for special mention in Secretary Houghton's report to the annual meeting of the Trades and Labour Council

54. Ibid., 30 June 1890

because they had "had a resounding victory without resorting to a call to arms".⁵⁵

At meetings in July, 80 constant men were admitted to the union, indicating that the shipowners were honouring their obligation.⁵⁶ The middle of the month saw the agreement nearly overturned on the labourers' side. The S.S. Tekapo owned by the Union Company of New Zealand had entered into a contract with an agent T. Napier to employ labour directly i.e. outside the union. The Committee of Management held a hasty meeting and authorised the union men to refuse work on the offending ship, and called a stopwork meeting at which over 800 men were in attendance. McKillop felt that the contracting practice was an attempt to introduce a sweating system and the meeting with only two dissentients decided that "it would be unlawful for any member to work for any contractor contracting for colonial boats".⁵⁷

The owners retaliated by threatening court action unless the decision refusing to work was expunged from the union minutes. McKillop had some difficulty in getting his members to accept a

55. Ibid., 4 July 1890

56. Ibid., 10 July 1890

57. S.W.L.U. Minutes 17 July 1890

compromise, viz. that any contract entered into before 1 July by the employers should be accepted by the union. He accused some 50 members, who "made hideous noises, disturbing the proceedings", of being "agitators" and warned members against them, said a press report. Spokesmen for the group considered that the steamship owners had broken faith with the union and were trying to shift their own liability on to the union's shoulders since no contract should ever have been made with Napier. This argument was answered by one of the president's supporters who accused the discontented members of being afraid they would have to work harder. "They had been treated fairly by the employers and if they became tyrannous, what was to prevent the employment of 10,000 unemployed?" McKillop clinched the argument by pointing out that Mr. Napier was a member of the Employers' Union, and the desired rescission motion was passed 500/65.⁵⁸ McKillop's statement re Napier is a significant one. The Employers' Union in his mind had the same status in a sense that the employees' union had, i.e. if a man was a member of a "union" his views should be considered seriously.

58. Ibid., 18 July 1890 and Sydney Morning Herald 18 July 1890

It was only at this stage that the S.W.L.U., and for that matter the press, was able to turn from "The Shipping Difficulty" to that of the forecast "Difficulty from the Marine Officers".⁵⁹ The "great strike" was to begin a month later.

While the Sydney wharf labourers were in the process of achieving better wages and hours and recognition of their union, and the Sydney Trades and Labour Council was congratulating itself on the record number of unions being formed and affiliating to the Council, there were already abundant signs that all was not well with the economy. Many coal miners in the southern district had been experiencing poverty due to a shortage of work in 1889. The Newcastle selling price of coal remained at 11/- per ton from 1883 until 1891 and the hewing rate was 4/- for that period⁶⁰ but the selling price and hewing rate in the south were much lower. In February Coalcliff miners were told by their manager that their 2/7 per ton was to be reduced to 2/3. The men refused to accept the reduction so their work stopped, the management saying the men were on strike, the men saying they had been locked out.⁶¹

59. Sydney Morning Herald 18 July 1890

60. R. Gollan, The Coal Miners of New South Wales, Melbourne 1963 Appendix 1 p. 239

61. This writer's unpublished M.A. thesis The Miners of Southern New South Wales p. 91

Engrossed as the S.W.L.U. was in its own affairs it donated £5 to the Coalcliff miners on 12 March 1890 and continued regular donations until it became engaged in the Maritime Strike.⁶² The Coalcliff men did not end their dispute until January 1891 by which time their disagreement with the employer had developed into one about the recognition of their union. The coal mine owners were to join the shipowners and the pastoralists in the Employers' Union ranged against the trade unions in the Great Strike.

The S.W.L.U. also aided the Operative Bakers "in dispute with their masters concerning the recognition of their union and the employing of union labour only" during February and March.⁶³ £10 was donated weekly for the duration of the strike⁶⁴. In July the union was called upon to aid Tramway and Omnibus Employees' Union members concerning "their dismissal for joining the union", and a month later a ban was put on the company's vehicles for the same reason.⁶⁵ There were signs that employers were mounting a counter-offensive to unionism.

When the Seamen's Union applied to the shipowners for the application to them of the eight-hour principle they received the

62. S.W.L.U. Minutes 12 March 1890

63. Sydney Morning Herald 20 February 1890

64. Ibid., 20 March 1890

65. S.W.L.U. Minutes 6 August 1890

reply that the steamship owners could not afford to do this in a time of commercial difficulty, and in enlarging on the theme, the secretary of the owners' association, Mr. J. Ferguson, revealed figures relating to the shipping industry. The six companies with headquarters in Sydney, the Tasmanian S.N. Co., Adelaide S.S. Co., Newcastle Co., Hunter River Co., Clarence, Richmond and McLeay River Co. and the Illawarra Co. had a total capital of £559,026. The current market value of their shares was only £412,179 indicating a shrinkage in investment value of £146,847. Trade was bad, he said. Whereas 10% was a very low rate of interest to expect, this had not been realised for a long time. In some cases it had been only 4%.⁶⁶

Such figures would not indicate any danger of bankruptcy for the owners of the shipping companies named. But Mr. Ferguson's figures are in keeping with Coghlan's statement about the state of the economy in 1890 and the fears of businessmen earlier than this. The average selling price of coal had begun to fall in 1889, prices of exports, which had dropped 15% between 1884 and 1889, were to go

66. Sydney Morning Herald, 13 August 1890

down by 25% from 1889 to 1893. The price of wool which reached 15½d per lb. in 1875 was 9¾d. in 1889, 9d. in 1890 and was to sink to 6½d. in 1894. Many pastoralists were also in financial difficulties due to heavy borrowing in earlier years. With the end of government spending on public works, the banks were no longer prepared to aid business as in the past; 1890 was a time of great uneasiness for the owners.⁶⁷ It is not surprising that shipowners, pastoralists and coal mine proprietors should have banded together in 1890 to resist trade union demands for increased wage rates or decreased hours when business was no longer buoyant. What may seem surprising, with the large numbers of unemployed in Sydney and Melbourne, is the labour movement's apparent eagerness to join battle with the employers.

It may be said that their own success blinded the members of the S.W.L.U. so that they were unable to see clearly that the shipowners' threats in August were not idle ones. But the action of wharf labourers had themselves won that right. President McKillop believed that the strike would be short and sharp, lasting

67. T. Coghlan op.cit., p.1645 ff.

only two or three weeks. The steamship owners declared that they had not in any way endeavoured to avert a strike which they considered must ensue amongst all the maritime labour unions. They were now running their vessels at a loss and considered it advisable to allow the men to remain on strike. ⁶⁸

Two days later at a meeting of wharf labourers so large that many could not get into the hall, the executive was given the right to withdraw all labour when and where it was deemed advisable, after a full and thorough discussion of "the defiant attitude taken by their employers regarding the handling of non-union wool".⁶⁹

Many writers have discussed the causes and results of the Maritime Strike. T. Coghlan, W.G. Spence and J.T. Sutcliffe wrote when they had vivid memories of the 1890s. B. Fitzpatrick, R. Gollan and others mostly drew on the transcript of evidence and conclusions of the N.S.W. Government's Royal Commission of 1891 which enquired into the strike. There are slight variations of opinion but in general all writers take the view that in conditions which heralded the onset of depression, the employers

68. Sydney Morning Herald 16 August 1890

69. SiW.L.U. Minutes 16 August 1890

united to defeat the trade unions and, enlisting the aid of the government, they were successful. This view, which he has described as the "orthodox" one, has been rejected by N.B. Nairn. He considers the view "radically erroneous" invented by the participants to explain the causes when in fact it applied merely to the consequences, that the strike was "caused by the machinations of W.G. Spence", that it "emerges as a monument to Spence's errors of judgement and to his irrepressible ambition".⁷⁰

That Spence played an important role cannot be denied. Equally, to place the conflict's responsibility solely on the employers' doorsteps would be an oversimplification. But the evidence of all writers shows that Australia was entering into a financial and economic crisis of world magnitude, that workers and employers in all colonies of Australia came into conflict about rights basic to each, that the owners, with governments on their side in the name of law and order, were the victors, that the results were to have effects, particularly in N.S.W., which had not been foreseen by any of the parties. The evidence relating

70. N.B. Nairn, 'The 1890 Maritime Strike in N.S.W.' in Historical Studies Australia and New Zealand, November 1961

to the participation of the Sydney wharf labourers in the strike seems to refute the theory that Spence was the great man who involved the union movement through his own machinations.

Just as the wharf labourers as an essential part of the transport industry were inextricably bound with the struggles of other sections of the labour movement, so the business of the shipowners was dependent on the successful functioning of other parts of the economy. The shipowners saw themselves as linked with the pastoralists just as much as the wharf labourers with the shearers. Where McKillop was spokesman for the wharf labourers and had close links with the Maritime and Trades and Labour Councils, J. Ferguson, as secretary of the Steamship Owners' Association, was at the same time the secretary of the Employers' Union, and in its beginning the secretary also of the Pastoralists' Union.⁷¹ Ferguson therefore probably played a more important role than any other individual amongst all the protagonists in the Maritime Strike.

Involved in their own argument with the shipowners in the

71. Sydney Morning Herald, 6 August 1890

first part of 1890, the S.W.L.U. virtually ignored the first request for aid coming from union shearers locked out by Chaffney Bros. at Mildura at the end of May.⁷² They also postponed consideration of a notice displayed by pastoralists early in June on several of the wharves. The notice advertised for non-union labour amongst wharf labourers, coal lumpers and others. It called for a number of men for six months viz. the duration of the wool loading season, to work for £2.4.0 per week of 48 hours for the following agents: Flood & Co. and Talbot & Co. both operating at Circular Quay, Alfred Lamb & Co. at Central Wharf, and Dalgety & Co. at Dalgety's Wharf. Those entering employment were promised preference for employment in the slack season.⁷³ By the end of June the shipowners had conceded almost totally the wharf labourers' claims concerning rates of pay, hours and union rights. During July they were faced with similar demands from the Marine Officers and the Seamen and in the same month they aided the pastoralists to form their own Union, and with other employers, promised help in resisting "the unfair demands of

72. S.W.L.U. Minutes, 28 May 1890

73. Reprinted in the Appendix to The Royal Commission on Strikes, 1890-90 Vol. 11 p.7

labour". By the beginning of August the energetic Ferguson had succeeded in forming an Officers' Marine Service Association to counter the radical Marine Officers' Association, the former being a body with no desire for affiliation with labour organisations. In the other sector, Ferguson as pro-tem secretary of the Pastoralists' Union, was informing Spence of the right of employers to shear under their own rules.⁷⁴

Ferguson obviously saw the Marine Officers issue as well as the Seamen's, as merely a part of the important task of ensuring that the wool shipments would proceed with no interference. It would seem that he, as secretary of the Steamship Owners' Association, had hopes of keeping the wharf labourers contented. The concessions to the S.W.L.U. in June were considerable and without precedent. They stood firm however on the twelve-month contract issue in July and would remain adamant on that point because it vitally affected the transport of wool. On the other hand, when wharf labourers refused to discharge the Janet Nicoll, a ship owned by Henderson Bros. of Auckland, which carried a non-unionist

74. Sydney Morning Herald 2 August 1890

Kanaka crew, Ferguson persuaded the owners to give an undertaking that the ship would not be so manned again. Yet the Association stood firm when the Seamen's Union wanted the re-instatement of a fireman dismissed from that ship allegedly because he was the union delegate. As for the officers, while the owners were prepared to give consideration to their salary and hours claims, they insisted on the officers' separation from any labour body since, it was claimed, that would make the officers' situation vis-a-vis the seamen an anomalous one.⁷⁵

Whereas Ferguson was able to see all the complexities as merely parts of the one issue, McKillop believed that the Marine Officers' insistence on pressing their claims via the trades halls was the key point, with non-union wool of secondary importance. The S.W.L.U., he was to insist after the strike was over, "came out on a principle in support of the Marine Officers". The non-union wool issue had "not been simmering" and frequently under discussion at the Sydney Trades and Labour Council. The difficulty with the Marine Officers was not "a pre-arranged affair to take

75. Ibid., 6 August 1890.

place when the shearers were ready".⁷⁶ The records of the S.W.L.U. up to 18 August confirm the views put forward by McKillop in December to the Royal Commission on strikes. There seems to have been an ignoring of the non-union wool matter as of little urgency. Flood & Co. had posted a notice at their wool stores on Circular Quay "Let it be understood that for the future all men working for us will be expected to do such work under such terms or such arrangements as may be required by us". This notice had appeared on 16 June 1890, yet "the defiant attitude taken by the employers regarding the handling of non-union wool" was not considered until the union meeting of 18 August which decided at one and the same time to give practical help to the Marine Officers' Association and to empower the executive to withdraw all labour when and where they deemed it advisable, recognising Flood & Co. as "only agents".⁷⁷

The strike at first was confined to unions who had disputes with the shipowners. The officers wanted the owners to concede their right to belong to the labour organisation. The ships'

76. From evidence given by McKillop before Royal Commission on Strikes 1890-91, pp. 20-21

77. S.W.L.U. Minutes 18 August 1890

cooks and stewards supported the officers; the trolly and draymen came in on the non-union wool matter; seamen and coal lumpers had a three-fold approach: both groups had unsettled claims with the shipowners; both gave support to the marine officers and the union shearers. The wharf labourers had no quarrel of their own with the shipowners; they believed in the right of the marine officers to combine, they believed as unionists they could not handle wool shorn by non-union labour; they thought the strike would be a short one, that the shipowners, faced with united resistance on the wharves, would make concessions, perhaps as readily as they had to wharf labourers only in June. There were 5,000 employees of the shipowners on strike. The Maritime Council, on which the six organisations as well as the Labour Council were represented, became a daily conference. By 21 August the conference decided to become the N.S.W. Labour Defence Committee since other unionists could directly or indirectly become involved. Ships' engineers had by now given their support.

The issues of the strike as they appeared at this stage were

summed up by the daily press

While the strike at first was to give support to the officers, the dispute has now assumed a very different aspect and ... become one great struggle between the employees and their masters ... The various organisations of seamen, wharf labourers, cooks and stewards, have had their own particular grievances before the owners for some time past which have not been settled and which will now have to be fought out to the bitter end. There were matters of principle on both sides, the steamship owners and the marine officers. But the steamship owners have now larger difficulties to contend with - the seamen want a decrease of their working hours to eight on shore and twelve at sea, while wharf labourers refuse to stow non-union wool and the cooks and stewards desire increases in pay. 78

At first the wharf labourers decided not to withdraw all labour. Mail boats not carrying wool could be handled, and they excluded as well the ships of the Union Co. and those of Ellis & Co., two lines which had conceded the officers' claims. With President McKillop acting as stevedore the wharf labourers were prepared to make some other exceptions such as perishable cargoes. But when a ship laden with fruit was found to have non-union labour aboard, after the ship's agents had given the assurance that there was not, the union made the embargo on

78. Sydney Morning Herald 21 August 1890

coastal shipping an all-embracing one.

This action forced the shipowners into a solid unity, said a spokesman.⁷⁹ Two days later steamship owners from Melbourne and Sydney held a conference at Albury to which came invited representatives of the Employers' and Pastoralists' Unions. All the main shipping companies were represented and the twenty industrial captains worked out the general line of their campaign. The Pastoralists' Union, affiliated with the Employers' Union, would aid the shipowners by thereafter refusing to give cargoes of wool to any company "in opposition to the general body of owners". A stable body of labour was to be ensured by an undertaking that no "free" labour would be discharged at the end of the strike, provided such labour was competent and of good behaviour. Furthermore the owners shifted responsibility for the strike from themselves. A letter was to be sent to the Seamen's Union, blaming first the seamen, then the officers, then the cooks, stewards and engineers, because they "had wanted increases which the shipowners could not afford, and caused the

79. Ibid., 23 August 1890

present strike; they (the shipowners) had given the wharf labourers concessions but could not make them to others because it would have added £200,000 to their costs".⁸⁰

The shipowners then proceeded to strengthen their forces by drawing together the other owners. In Melbourne they assembled a meeting of 2,000 "employers and capitalists" who put the blame for the strike on the Sydney Trades and Labour Council. The highlight of the meeting was a letter from E.M. Young promising £1,000 for a fighting fund for the employers, and explaining his views on the reasons for the unions' gaining of power. There were three causes, he said: the great borrowings from the mother country by the governments in Australia, the reckless expenditure of those governments, the absorbing by the governments of the surplus labour at wages often above that current rate which an individual investor could afford to pay. He had been informed by an eminent financier that during the last eight years the colonies had borrowed 70 millions sterling on which they had to pay 2 to 3 percent. The values of exports

80. Ibid., 25 August 1890

did not show any increases .so how was the interest to be paid?

There were at the same time as the Melbourne meeting similar enthusiastic gatherings of employers in Townsville and Brisbane and Adelaide. The shipowners assembled the employers of Sydney. Twelve hundred of them met to promise their aid, the Stock Exchange being closed for the afternoon to ensure a full attendance. The government, when appealed to, was not slow to help in the name of law and order. It began to fence in the wharves and to enrol hundreds of special constables to defend non-unionists and the shipping of non-union wool. By 10 September Mr. Ferguson could well feel his efforts had been crowned when a conference was opened in Sydney of steamship owners from N.S.W., Victoria and Queensland, employers' unions of N.S.W., Queensland, South Australia, and Victoria, pastoralists' unions of N.S.W. and Victoria, colliery owners and others.

The main purpose of the shipowners in enlisting the aid of other employers and the government was to ensure that in spite of the strike of all waterfront unionists, their ships would be

discharged and loaded. In this they were eminently successful. Not only was McKillop proved wrong in his prophecy that ship-owners would not be able to find labour, but also in that only unionists had the skill to stow the wool bales. No complaints were made by the owners or their agents of the quality of the free labourers' work.⁸¹ Ship captains, stevedores and non-union officers supervised the work, the labourers at first only too anxious to prove competence and good behaviour. As for the ships themselves, they sailed away with non-union crews of "free" officers and "free" seamen. They were at first shorthanded - one collier left Newcastle without crew or officers, the work being done by the captain, a cabin boy and two passengers who worked their passage. Even after the engineers joined the strike the ships continued to move. As the strike went on the difficulties grew less and less as owners and government were able to draw on the always abundant supply of unskilled and skilled labour.

In the early weeks of the strike the organisation of the strikers marched with that of the employers. While the owners

81. Royal Commission on Strikes 1890-91 p.23

conferred in Albury, McKillop was speaking at a large public meeting stressing the importance of the marine officers' case. Week-end demonstrations were organised, attracting large numbers of marchers and observers. At the second of these on 6 September, 10,000 unionists took part. Forty-four societies were represented, the largest procession Australia had seen, said an observer. The wharf labourers, numbering 2,000, were the largest group in the march. It was the anniversary of the day just a year before when another monster demonstration had taken place in aid of the London Dockers. Now it was their turn to aid, and before the demonstration they had indeed sent £500 to the Sydney strikers. The N.S.W. Labour Defence Committee was soon to be aided by the Intercolonial Labour Congress which took place in Sydney at the same time as the "conference of capital!"⁸²

The practical work of the Labour Defence Committee, in which the wharf labourers played a key part, showed astonishing breadth of vision and vigour. Anticipating the shipowners' Labour Bureau for the organising of non-union labour, they created

82. Sydney Morning Herald 13 September 1890

Maritime Labour Barracks. Buildings were secured for three months and 25 striking carpenters set to work to make accommodation for 500 men. Striking ships' cooks and stewards prepared and served meals for 524 men in one week-end. The purpose of the barracks was not to benefit the strikers themselves. "The union looked after its own", said Mr. McKillop. The arrangement was solely for the use of unemployed non-union men, to encourage them to stay away from the temptations of strike-breaking for the government or the shipowners.⁸³ For the marine officers a club was established, the Defence Committee paying the £200 expenses of converting the premises. The marine officers themselves added 70 new members to the 150 they had when the strike first began, and by the time of the big demonstration on the first Saturday in September they were able to muster 300 members to march alongside the other maritime workers. Morale amongst all the strikers was at first high. The 2,000 members of the S.W.L.U. received weekly strike pay of £1 per man. There was ample finance to augment the union funds. 25,000 shearers had

83. Ibid., 20 August 1890

given £10,000 to the Labour Defence Committee, 30,000 members of the Amalgamated Miners gave a large undisclosed amount, the Typographical Association had pledged £25 weekly, the Coopers gave half their entire funds of £120 and all other unions were expected to contribute handsomely.⁸⁴

Each of the maritime unions was kept busy. The officers tried to prevent non-members from manning the ships, the other unions organized a constant watch of pickets, the S.W.L.U. manning 5-hour shifts with 445 pickets per day. Mr. McKillop constantly admonished the men, with some success, against giving the public a bad impression through drunkenness. He also implored them to keep calm, to avoid trouble by not interfering with non-unionists. In this, of course, his advice was to fail, many of the "free" labourers being terrorised before the increased numbers of special constables were able to prevent jeering or physical intimidation. Large mass meetings of each union kept the strikers aware of those developments that they could not observe for themselves.

84. Ibid., 26 August 1890

What was plainly observable, by the time the Intercolonial Congresses of unionists and of owners took place in Sydney in the second week of September, was that the maritime owners were victorious. Ferguson's forecast that there would be sufficient non-union labour offering to do the work of the strikers was already true in the first month. While the union congress began to make suggestions for a conference between the two parties the employers were able to assert that "the thing was now in their hands ... they had no reason for making any concessions".⁸⁵ No amount of maritime barracks or pickets or demonstrations could lessen the number of unemployed in the pool of potential non-union labour from which the shipowners could draw. No amount of funds from sympathetic unionists or well-known individuals could give the S.W.L.U. work in its own occupation. Whereas in July it had been the union which had the control of the labour force on the waterfront, now it was the shipowners' Labour Bureau which filled this role.

The law defended co-operating non-unionists, not striking

85. Ibid., 11 September¹⁸⁹⁰ 1890

unionists; whether it was on the waterfront or in the courts the S.W.L.U. was outmatched. A firm of wool stevedores took legal action against four foremen who had, ironically, been constant men before 1 July. They had earned £3.5.0 per week with 1/9 overtime, their hours being 6 a.m. to 6 p.m. They had joined the union because they had to do as the union wished, and as unionists had therefore been obliged to take part in the strike. In a court full of striking wharf labourers the magistrate fined each man £5 with £1.15.0 costs while saying "as a magistrate I know nothing about a union and I care nothing for it."⁸⁶

Respect or fear of unionism went down before the greater fear of those who provided and protected employment. Well before the S.W.L.U. directed a return to work on 5 November, many of its members had disguised or lost their unionism, and joined the "free" labour of the shipowners' Bureau. The chief factor in the defeat of the strike of the maritime workers, and particularly of the wharf labourers, was not lack of funds, nor mistakes in tactics

86. Ibid., 3 September 1890

of the leadership vis-a-vis the superior experience of the employers, nor even the weight of the employers augmented by the power of the government. The weapon of defeat lay in their own class, its unemployed ones, who with no skill, and a consciousness based only on the need for a livelihood, could always be available as allies for the forces ranged against unionism.

CHAPTER TWO

1890 to 1899

DIFFICULTIES OF THE S.W.L.U. IN THE 1890s.

RECOVERY WITH W.M. HUGHES

For the period of the strike the S.W.L.U. did not keep records of its meetings. The leaders of the union were included in the Maritime Council, in the New South Wales Labour Defence Committee, and in the Intercolonial Trade Union Congress. The rank and file attended the mass meetings. These were held regularly but were, in general, merely occasions for the leadership to make reports and answer questions.

When the union once again resumed its "normal" meetings a week after its participation in the maritime strike had ended, the atmosphere was drastically different from the buoyancy shown in the earlier half of the year. Before the strike there had been nearly 2,000 paid-up members with every prospect of full employment at increased rates for decreased hours; now the union was splintered. At least 800 members had debarred themselves

from union membership by working on the wharves with the free labourers during the strike; there was another group who had sought work away from the wharves and who had been issued with "white books" to indicate that they were not "blacklegs" but had not been entitled to strike pay; finally there was a third group, the smallest, of men who had remained steadfast, receiving strike pay and no other income since 28 August. The last group had the greatest union consciousness, an elite which was in general bitterly opposed to the disloyal ones. Therein lay the first danger for the union: the most loyal unionists were the ones least likely to be employed on the waterfront, yet they opposed the entry to the union of those who were so employed.

The bitterness and intransigence were summed up by a member called Riley, who said

During the last three months there was a crowd of men fattening while the rest starved. Let them starve now ... Every man who worked against us in the struggle had worked against our wives and children. No man who had been blacklegging on the wharves should be admitted for three months.

It was alleged that some of those working for Flood, the wool stevedore, had got £5 or £6 per week.

The meeting did not want the matter left in the hands of the committee. It felt the whole body should "help separate the wheat from the chaff". After lengthy discussion it was finally agreed by the majority that all those who had not worked "contrary to the rules of the union" should be admitted and the others left for further discussion.¹

The argument was to continue. There was an obvious determination to keep the union going but disagreement as to how this could be done. There was no support at first for the member who expressed the notion that if **those** who had worked were admitted they "might become as staunch and true as ourselves". On the other hand no one wanted "to accept them merely to get the benefit of their contributions". Even the "white book" men were suspect; some of them had collected strike pay, it was alleged. There was for a while the danger of the union being purified out of existence.

1. S.W.L.U. Minutes 112 November 1890

Then there was argument about the amount of the initiation fee. The brief glory of the 5 guinea fee, inserted in the rules of the pre-strike period, was obviously impossible. Even 1 guinea was deemed excessive, so it was decided first that 10/- would be a practicable sum, then 5/-, and finally 1/-. Entrance fees for the last week in June 1891 totalled £1. 11. 0, indicating a difficult financial situation; but it also indicated that men were still joining the union.

Mr. McKillop was one who believed that the free labourers should be encouraged to join the union. In December 1890 he told the Royal Commission on the strike that the union was allowing all the non-unionists into the society without charge until February, when the fee would return to 7/6. He believed that this would be one way of dispensing with the shipowners' Labour Bureau. The high fee of 5 guineas charged before the strike had not been to keep the union membership low so as to ensure a shortage of labour. It had been used to discourage the bribing of foremen into giving

work, a practice he claimed had been rife in the past in Newcastle and Sydney. He admitted that the welcoming of free labour into the union was contrary to past rules but the union had "gained experience".²

Regular meetings of the union continued until the end of 1891. There were two major reasons for the union's struggle to keep the society alive, apart from the unquenched unionism of the few. The first was economic desperation, the second political hope. In the former sphere the union was faced with the difficulty caused by the shipowners' Labour Bureau. While the charge that unionists were victimised was denied by stevedores, it seems certain that the man in charge of distributing the work was informed as to those whom he should not employ and well-known unionists were unable to get work except in times of shortage. It could well be true that the union had enrolled 375 men after the strike, many of whom were the non-unionists, as McKillop claimed in December.³ But J. Ferguson had the last word. Writing to the daily press in January 1891 on behalf of the shipowners he said,

2. R. McKillop's evidence before Royal Commission on Strikes, Sydney 1891 pp. 23

3. Ibid., p. 22.

Work on the wharves under the control of members of this association is being carried on almost entirely by means of free labour ... the pledge of the owners to stand by the free men who assisted them in the strike is being fulfilled ... the members of the association are still giving the preference in the distribution of work to free labourers. In proof of the statement that free labourers are securing the bulk of the work, I may mention that of 250 men employed on the A.U.S.N. Co's wharf on Friday last, only 11 were unionists, while on some of the other wharves the proportion of unionists were even smaller or entirely absent. The free labour office is being conducted by this association at considerable expense, principally for the purpose of keeping the free labourers together.⁴

Mr. McKillop alleged that the Labour Bureau subtracted 6d. per week from the wages of those employed to defray the cost of the bureau, that there had been strikes of free labourers. He claimed that by using free labour the shipowners' cost per ton of work had increased from 1/- to 3/-, the increase being passed on to the community. He also claimed that seven-tenths of the free labourers were physically unfit to do wharf-labouring work and that the S.W.L.U. had a rule which prevented such people from entering the union.

The S.W.L.U. was, however, faced with the grim reality of

4. Sydney Morning Herald, 6 January, 1891.

the Bureau's existence. Some wanted the union to give official recognition to the Bureau, to go in a body and ask for tickets. While the majority insisted on getting a modification of the system by appeals to the S.S. Association, many members were in great financial distress, and had to be aided by sums of money from the funds the Sydney Trades and Labour Council still had left over from the strike.⁵

While the Maritime Council was considered by the union to exist in name only there was still faith in the Sydney Trades and Labour Council. When members of the S.W.L.U. reported having seen a notice in the Sydney Sunday press advertising the proposed "Labour Branch" the reaction was one of suspicion. "The past should have been a lesson" said one member cryptically. However when the Sydney Trades and Labour Council sent official notification of the plan to stand candidates for Labor in the forthcoming 1891 elections, the union made sure its members were on the electoral rolls and donated £40 to help pay nomination deposits for labor candidates. An indication of the union's poverty, mixed with

5. S.W.L.U. Minutes 1 July 1891

optimism, was contained in the rider that the money should be refunded if the deposits were not forfeited.⁶ There is no reason to think J.T. Lang's memory was at fault when he recalled the enthusiastic participation of the wharf labourers in the election campaign of the newly formed Labor Party.⁷

The union also supported the Labour Council's request for aid for the newspaper the Australian Workman, having agreed with a deputation from the Council that "If there had been a Daily Journal through the last dispute, we would be in a better position than in the present time. The Bulletin and the Truth were the only papers that stood up for our interests".

Like the Sydney Trades and Labour Council and others in the labour movement the S.W.L.U. looked hopefully at co-operation schemes. McKillop was an enthusiast who believed that worker-controlled co-operatives could compete successfully with private enterprise and prevent unemployment. His theories seemed to him to be borne out in a practical way during the strike when he acted as stevedore

6. Ibid., 11 June 1891.

7. J.T. Lang, I Remember, Sydney 1956 p. 15.

for a short time. He "discharged a ship, using 7 more men than the owners' stevedores would have done, paid 2/- a day more to the labourers and still had a profit out of the ship, the Exporter, of £7".⁸ If the union were a co-operative company there would be no unemployment because when wharf work was not available the men could be put to sail-making or other such useful work. It would merely be a matter of detail to make the union into such a co-operative. All would be members and would appoint their own bosses to tender and obtain work for them. The majority, said Mr. McKillop, were in favour of the scheme.⁹

Early in 1891 McKillop spoke to a large meeting of free labourers. While the subject was set down as the benefits of trade unionism, he gave a lengthy talk on the benefits of co-operation, announcing that he had a scheme in mind to make money for those who were members of the S.W.L.U. A committee was formed to enquire into the matter.¹⁰ Plans were made for the formation of a co-operative company which would tender for all work coming

8. Royal Commission on Strikes op.cit. p. 20.

9. Ibid. p. 21

10. S.W.L.U. Minutes 14 January 1891

into the port of Sydney.¹¹ But while the union was easily persuaded to buy £100-worth of shares in the Trade Hall, the question of buying a boat at a cost of less than £10 for the union's own "co-operative society" was another matter. Mr. McKillop, Secretary of the union since July, could not find a seconder for his motion and though there was a long discussion, nothing was finalised.¹² When the Union of Laundry Employees asked the aid of the union in establishing a co-operative laundry as a way out for a group of women who were on strike and had found a suitable building for such a venture, the question of a donation was "stood over".¹³

McKillop seems to have grown down-hearted. He reported on correspondence from the Typographical Association indication that the Shipping Guide was being printed by blacklegs. "The less fuss the better at present" he said. "An advertisement would be detrimental as the agents would then watch the union more closely".¹⁴ So nothing was done.

McKillop's loss of confidence was to have serious consequences for the union. Before the year was out he vacated his office of

11. Ibid. 6 May, 1891.

12. Ibid. 12 August, 1891.

13. Ibid. 30 September, 1891.

14. Ibid. 12 August, 1891.

secretary, locked the union's office and failed to appear at a specially-summoned meeting. His absence was never explained. The loss of such a leader at this time was a blow to the union's heart. He had been one of the leaders, in one position or another, since the union was formed-a matter of 16 years.¹⁵ He had been the union's spokesman at the discussions with the Steamship Owners' Association which culminated in the victory for the union's claims in June 1890. He had led the union in the maritime strike, had been their voice at the Labour Council, the Maritime Conference, the N.S.W. Labour Defence Committee and the Intercolonial Labour Congress. He had given evidence on behalf of the wharf labourers to the Royal Commission on Strikes. He had staunchly maintained the need for a union when some members wanted to disband it. He was prepared to become secretary when all other officers had resigned in July. After November 1891 his name was not to reappear in the union leadership until 1896, nearly five years later, when he once more became a trustee of the union. As for the S.W.L.U., while it prepared for yet another ballot, it was deemed that 200

15. He had stated this in his evidence at the Royal Commission on Strikes. p. 19.

ballot papers would be sufficient. Office-holders were not easily come by; the rules had to be modified to allow an officer to hold two positions. But having arranged to give £20 to tailors on strike, the union then ceased to hold meetings for nearly 10 months.¹⁶

It is not surprising that the union's attempts to survive were well-nigh impossible. The achievement of labour in politics however remarkable, could not give unionists their jobs back. On the waterfront the owners' success in winning "freedom of contract" was much more relevant to the practical necessities of the wharf labourer's life. If a unionist continued to starve after the completion of an unsuccessful strike about unionism he had either to cease to be a unionist or to modify his principles and standards, at least temporarily. What is surprising is that without officers, without meetings, nearly a hundred men did keep their unionism alive. Delegates continued to attend meetings of the Sydney Trades and Labour Council. The enthusiasm for the public display of union principles in the Eight-Hour march still remained. In preparation for the celebration the S.W.L.U. met in September to decide how it should "show the public they were still in business. What was

16. S.W.L.U. Minutes 2 December 1891

wanted was Men - no tomfoolery; perhaps a number of blacklegs chained together". Whatever was the method decided upon the result was a success. The union had over 300 marchers - larger than any other group taking part. There were 31 other unions, with 5000 to 6000 marchers. The seamen too had a large number taking part. Reporting the large number of people in the city early in the morning on the day of the march, the press observed "It was surprising to see thousands of well-dressed men, women and children ... It was a matter of astonishment to find on all sides so many evident signs of prosperity or comfort in a city which for months past has been and still is suffering from the general wave of depression".¹⁷ The journalist mistook the wearing of best clothes as a sign of prosperity when it actually meant respect for and hope in a cause.

While Mr. McKillop helped the committee of the Trades and Labour Council draft rules for the Federation of Labour following the Intercolonial Trades Congress held at Ballarat,¹⁸ an enthusiastic wharf labourer called Riley became a temporary organiser for the

17. Sydney Morning Herald 4 October 1892.

18. Ibid. 12 October 1892.

S.W.L.U. and persuaded more than 300 labourers to join the union.¹⁹ When the union could not attract sufficient members to attend meetings it carried on its operations through the union committee, and whenever funds allowed, employed a secretary or an organiser for a few weeks at a time.²⁰ A reduction in overtime rates was averted in 1891. When seamen's wages were reduced in 1892, the S.W.L.U. Committee of Management made plans to prevent similar reductions on the waterfront. It was rumoured that wharf labourers would be asked to work 10 hours for 8/- on some wharves, 10 hours for 10/- on others. The time came however when unionists as well as non-unionists were glad to accept such rates and less, as the depression continued and unemployment deepened. Perhaps if McKillop had had less faith in co-operation the union might have shown more interest in the election results of 1891 and 1894. Balmain, Glebe, West Sydney, Newtown and Redfern all returned Labor members in 1891, and these were the electorates in which wharf labourers lived.

The future champion of the waterside worker, W.M. Hughes,

19. S.W.L.U. Minutes 5 October 1892

20. S.W.L.U. Committee 31 July 1893

was elected to the colonial parliament for the electorate of Lang, in which many wharf labourers lived, in 1894, but he took no steps to approach the unionists on the waterfront as such. The lack of interest was mutual: politicians could do little of a basic nature for trade unionists in times of severe economic hardship, and workers' interests in politics were of secondary importance to the question of employment. The S.W.L.U., like so many other unions in the 1890s, could not get back its pre-strike strength until the whole economy had moved out of the depression years of the decade.

The most notable friend of unionists on the waterfront during the depression was the Anglican Archdeacon, Rev. J.D. Langley who helped all the unemployed in his area with soup and encouragement. He allowed the use of the schoolroom of St. Phillip's Church for union meetings. Here in one of the better years, 1896, the committee which called itself the S.W.L.U. decided that the presence of well-known people on the platform might attract the rank-and-file to its meetings.²¹ This idea was to persist, unfortunately without much success, for over 18 months. The first of these union-political harangues took place at the end of July 1896 when there

21. S.W.L.U. Minutes 12 July 1896

were six "names" advertised, including four Labor M.P.s. Hughes was one of the politicians. A week later there was an election of officers. McKillop made an official reappearance as trustee of the union. Hughes was again present, with George Black, and both "spoke at length", Hughes donating £1.1.0 for the working expenses of the union.²² It is noteworthy that at this particular revival of the union, the old faithfuls amongst the membership insisted "that it be plainly stated to all intending members that this is the old union organisation".²³

It was decided that the union "would admit with pleasure any man working on the wharves" and once more the enthusiastic Mr. Riley went to work on a recruiting drive. In a few months the membership had risen to 330, with delegates being appointed at each wharf; congratulations came in from Townsville and Fremantle on the reorganizing methods and results.²⁴ In its turn the S.W.L.U. sent encouraging messages to Brisbane, Cooktown and other ports. The Sydney District Council²⁵ was called upon to help advertise amongst non-unionists on the waterfront and at a

22. Ibid., 5 August 1896

23. Ibid., 12 August 1896

24. Ibid., 25 November 1896

25. At this period the erstwhile Sydney T. & L. Council was still functioning as a council of the Australian Labour Federation following a decision in May 1894.

large public meeting on Flagstaff Hill during the 8-hour weekend there were many recruits to the union. The times seemed to be favouring workers once more. At this meeting, Hughes as the principal speaker "referred to the prosperous state into which the colony was now entering and said there was no reason why the wharf labourer should not derive some benefit from that returning prosperity. This could be best brought about by men banding themselves together so that they could approach the masters unitedly".²⁶

Poor attendances at meetings was a major problem plaguing the union in this period. An enlightened suggestion that wives should be allowed to attend in order to encourage their husbands did not meet with approval and efforts continued in putting up a platform of politicians and others. Ben Tillett of the London Dockers attracted large numbers wherever he spoke in Australia and New Zealand in his lecture tour of 1897 and he was a speaker at one of the S.W.L.U. meetings. Like the politicians he "spoke at great length" of co-operation, the need for solidarity, the

26. Sydney Morning Herald. 5 October 1896.

problems of workers in Britain, Europe and the colonies.²⁷ But what was needed was practical advice on how to get around the stumbling blocks to unionism, of unemployment and the Shipowners' Free Labour Bureau. The Melbourne wharf labourers had been able to secure the closing of a similar bureau in their port by persuading sufficient men to refuse to patronise it.²⁸ In Sydney however all efforts failed, in spite of the fact that the S.W.L.U. had the services of such experienced union leaders as J. Cochrane, for a while Secretary of the Sydney District Council of the Australian Federation of Labour, and R. McKillop, associated all through the period with the Council, whether named Sydney Trades and Labour Council or District Council of the A.F.E.

Nevertheless the union did continue to exist. The "Union Directory" column of the Australian Workman included the name of the S.W.L.U. and the name and address of its secretary right through the difficult years, even if the "union" was actually a mere committee. Each year until 1898 the wharf labourers

27. Australian Workman 7 August 1897.

28. Ibid., 8 May 1897.

marched as such in the Eight-Hour procession. Similar bodies of unionists maintained the name of unionism on the wharves of Fremantle, Melbourne, Brisbane and, closer to Sydney, Newcastle.

In such ways unionism, if not the union, was kept alive on the waterfront throughout the years of depression and of halting recovery. There was nothing unique in the difficulties experienced by wharf labourer unionism in the years following the maritime strike. The decade was a gloomy one for all unions; unemployment aided employers to adjust wages to a level that suited them; most unions had to accept reductions with the unwilling acquiescence of labour councils throughout Australia. After 1891 wages fell continuously each year in New South Wales, with the exception of 1896 when there was a slight recovery. Drought and depression in agriculture and the pastoral industry prevented the escape of the city unemployed to seasonal work in the countryside. Those who were able to get employment anywhere were fortunate in a double sense; although there were some fluctuations, prices were consistently lower than they had been before and during the year of the maritime

strike; for most of the decade real wages were worth more than they had been in that year.²⁹

Wharf labourers were paid 1/- per hour for the whole period except for the brief months in 1890 when the shipowners had increased the amount by 3d. In the depression years the labourers were affected by the decrease in the cargoes, both imports and exports. The main exports, of wool, wheat, metal and minerals, were all less after 1891; but there was never a cessation of shipping. Although the shipowners did not return to their 1890 level of earnings until 1899, nor over-reach that level until 1900, their incomes were always above those of 1887.³⁰ In that year they had had to pay 1/- per hour to the wharf labourers.

The particular circumstances preventing the recovery of unionism on the Sydney waterfront included the more than customary irregularity of shipping, coupled with the presence of the shipowners' employment bureau. Established during the 1890 strike, the bureau was not abolished until Hughes became involved in reforming the union over nine years later. Wharf labourers known

29. N. Butlin, Australian Domestic Product Investment and Foreign Borrowing 1861-1938/9, Cambridge 1962 pp. 56-59, 111, 158.

30. Ibid. p. 178.

as unionists could be sure of getting work only if the needs of the employing agents forced them to overlook unionism as an undesirable feature. The year 1899 was one in which the agents had to ignore this factor if they were to obtain sufficient competent labour to handle the quantity of wool available for export. Wool cargoes were larger than they had ever been, except during the years 1891 and 1892.³¹ There was, as well, growth of recovery in other segments of the economy. Conditions became favourable once more for the growth of unionism.

The year 1898 and 1899 saw the Sydney wharves busier than they had been in all the years since the big strike.³² More wharf labourers were needed than ever before. The old leaders, men like E. Kelly, J. Brock, R. McKillop, were still there to organise the union's revival. This time the revival was to be a permanent one, and the S.W.L.U. was to have very different notions about aims and methods. The political climate had changed with the post-maritime strike emergence of the Labour Party and the post-strike new political-industrial attitudes. Into the union field, just at the right moment, stepped W.M. Hughes. The closing days of 1899 saw the "inaugural meeting" of the S.W.L.U. and the triumphal

31. Ibid. p. 56.

32. N.S.W. Statistical Register 1901

public appearance of its new leader.³³

Hughes had already made himself known and had endeared himself to waterside workers during the unsuccessful efforts of the unionists in 1896 to get the union once more firmly on its feet. He was well established as a politician in an electorate where many wharf labourers lived. As a Member of Parliament and not a wharf labourer, he had no need to fear shipowners or their agents. All the conditions were therefore in existence for Hughes to make a successful bid to revive the union.

At the inaugural meeting, elections took place and W.M. Hughes was made secretary, a position he was to hold until 1916. The position of assistant secretary was taken pro tem by E. Kelly, who for a number of years, was to hold office in one position or another, as was R. McKillop. The assistant secretary's position was a most important one. As Hughes could not be responsible for the day-to-day work of the union, very soon the position became a full-time paid one. Hughes was, however, the publicly recognised secretary, and this was made overwhelmingly clear at the public

33. S.W.L.U. Minutes 27 December 1899

launching of the union which took place just three days after the "inaugural" meeting. The platform of speakers surpassed the glory of the occasion when the union had organised the public in support of the London dockers in 1889. The new president, H. Mason, was the only wharf labourer on the platform, which included the premier, Mr. W.J. Lyne, the Minister for Works Mr. E.W. O'Sullivan, nine members of the Legislative Assembly in addition to Hughes, and a representative each of the Anglican and Roman Catholic churches. There was full press coverage of the occasion;

Mr. W.M. Hughes M.L.A., the secretary of the union, said the organisation had been the outcome of three months' unremitting work on the part of a number of men. Not even the ghost of a union existed prior to three months ago. Now it contained 1500 members and had £200 to its credit in the City Bank. The union had been formed to enable wharf labourers to maintain their dignity and their rights without harassing their employers. The union having been started by men who were determined to see it through would seek to secure as a member every wharf labourer who was worthy of the name of a man. It was conducted entirely on the basis of voluntary effort. No official got a farthing for his services. The subscription to the union was very small, within the means of almost every man who earned a livelihood on the wharves. Already the effect of forming the union had been to steady the tendency on the part of various men to take lower wages than fair rates. It was the intention of the union to be a political as well as an industrial factor in affairs. The Government would be told

by the union of the conditions in which the Employers' Liability Act was at present. The Union wanted the Government to rectify such a state of things, and to introduce a Workmen's Compensation Bill.

The Minister for Works, Mr. E.W. O'Sullivan, said that

He was one of those who thought that, if capital would only work hand in hand with labour, unionism would benefit capital as well as labour. The enabling of both parties to go to some court for the settlement of industrial disputes should be one of the aims of the labour party to achieve. The Government had done something for the working man. It had required union rates to be paid for skilled labour on Government works, and it had fixed a minimum rate of wages for labourers in Government employ at 7/- per day. He was rejoiced to find that the S.W.L.U. had again got on its legs. His hope was that it would prosper and become a protection for its members.

The Premier, W.J. Lyne, added that

unionism was preservation ... In passing the Act (the Early Closing Act) he had had the undivided support of the labour party and the especially intelligent aid of Mr. Hughes M.L.A. The Government tackled another big question when it introduced the Navigation Bill in face of the strong opposition which had been exhibited against such a measure formerly ... A word of praise was due to Mr. Smith M.L.A. for his assistance in the matter. He asked the S.W.L.U. to use all the power that would come to it if its members stood together with that discretion that wise men displayed in the use of power ... If the union asked for nothing but what was fair, capital and labour might in the future secure, hand in hand, mutually beneficial results that otherwise could not be obtained by

either party. He hoped the union would make for industrial peace instead of struggle.

Archdeacon Langley said that

he was a warm supporter of trade unionism. Firstly because it prevented sweating which he adominated; secondly because he believed it tended to elevate the social and moral life of trade unionists; and thirdly because he believed that instead of tending to bring about the bad feeling between capital and labour, it was more likely than anything else to bring about right feeling. The wharf labourers had done him the honour of electing him a trustee of their union... As a resolution moved by him in favour of trades unionism was carried by his synod almost unanimously he felt in being present he was acting not only individually but also in a representative character.

The Rev. Father Aubrey also made a sympathetic speech:

Pope Leo XIII recently issued a letter in which his Holiness declared that a working man should not only earn enough to purchase him the necessities of life but should have leisure also in which to cultivate his mental powers and to have reasonable recreation.

Six Ms. L.A., then F. Brennan, President of the Eight Hours committee, G. Herbert, Secretary of the Coal Lumpers' Union, and J. Cochrane, President of the Australian Labour Federation, all spoke in appreciation of the union.

The premier, in reply to Hughes, said that

as to the Conciliation Bill, next session he would fulfil his promise to introduce it. If he got that support which he now felt he would get, the Bill would be followed by other progressive measures. He had not fully investigated the details of the Workmen's Compensation Act passed elsewhere. If it seemed to him after investigation that a Bill of the kind was one he could support he would have no hesitation in introducing one which would improve on the Acts of other countries ... he was glad to see the representatives of two churches blending their influence and their religion in the good cause all present had attended to support.

Three cheers were given for "The Founders and Promoters of the Wharf Labourers' Union" at the suggestion of the Minister for Works.³⁴

The launching, with the mass of politicians on the platform, and with himself as the leading figure, was an illustration of the kind of public display in which Hughes revelled. It was also a practical example of his belief that trade unionism needed the leadership of politicians. His choice of the wharf labourers' union as the one which he should adopt as his own was natural enough, since his electorate included the Sydney waterfront.

34. Sydney Morning Herald, 30 December 1899.

The selection of the time to perform the adoption process was also a natural one, as the other unions too were beginning to recover. The revival of no other union was, however, publicised as was that of the S.W.L.U. Hughes made the outward circumstances of the recovery a unique one.

CHAPTER THREE

1899 TO 1907

ROLE OF W.M. HUGHES AS LEADER OF THE S.W.L.U.

Most of the successful candidates for Labor in the New South Wales elections of 1891, 1894, 1895, and the first Federal elections in 1901, came to politics from the trade union movement. Cook, Nicholson, Fegan, Scott, Edden and Watkins had been coal miners; McGowan was originally a boiler-maker; Houghton and Watson had both Labor Council and Printers' Union links; Spence and Smith, both well-known in the Maritime Strike, were leaders of shearers and seamen respectively. Then there was O'Sullivan, ex-seaman, who, while never seeking Labor pre-selection, had strong sympathies with the working class.

Elected in 1894, 1895 and 1898 for the electorate of Lang, Hughes was in a sense a wharf labourers' member, since most Sydney waterside workers lived in his electorate. But his name was not closely associated with the S.W.L.U. until the end of 1896 when he was just one of the politicians whom the union leadership

approached to speak on the union platform. When he did become actively interested in the revitalising of the union, it would seem that the idea did not originate in his own mind. While the Rev. Archdeacon Langley encouraged the union by allowing the use of the St. Phillip's school room for meetings, much of the unionists' comradeship was forged in the more informal atmosphere of a hotel nearby, on the corner of Grosvenor and Kent Streets, close to the wharves. The publican, a big red-faced Irishman called Killberg, and known as Manchester Jack, took an active interest in his customers' conversations. It was he who first made the suggestion to Hughes that he could give valuable help to the union.¹

The future leader of the S.W.L.U. and of the Waterside Workers' Federation was never a wharf labourer. Nor was he a member of a trade union except in an honorary capacity. He did, however, have experience of being a worker both in the countryside and in the town, as he recounted rather light-heartedly in his own writings and as reported by his biographers. He knew workers

1. T. Nelson, The Hungry Mile, Sydney 1957 p.24

and talked to them, or addressed them, from 1890 to 1894 when his home was at Balmain. As a small shopkeeper interested in socialist politics he was able to observe the mistakes, as he saw them, and the results of the mistakes of wharf labourers and other unionists in the "general strike" of 1890. In the same period he organised for the Labor Party in the countryside and again met and talked with, and to, rural workers.² Being a small man, he was glad of the help of burly wharf labourers in his first pre-selection meeting of May 1894. "Some of them, fresh from their work on the wharves, had their wool hooks stuck in their belts".³ While he left the Socialist League in 1898 he still, at least until 1910 (when The Case for Labor was published), remained a socialist of the Fabian variety. He wrote:

Competition will be replaced by co-operation because the environment which made competition desirable or possible is changing - has changed in fact ...That being the case, and since competition is already dead in many industries, is dying in others, and the question being not one of competition versus co-operation, but of co-operation for the benefit of the few versus co-operation for the many, there can and will be but one answer. And that is being given every day. There is no such thing as voting for Socialism. Socialism wants no voting for;

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2. See W.M. Hughes, Crusts and Crusades, Sydney, 1948, pp. 1-100; L.F. Fitzhardinge, William Morris Hughes Sydney, 1964, pp. 13-22; W. Farmer Whyte, William Morris Hughes, Sydney, 1957, pp. 8-28
 3. W.M. Hughes, Crusts and Crusades p. 114 passim

it only wants room to grow and move. And this, Environment, restless as Fate, despite those who strive to stem its progress and those who seek with cardboard levers to accelerate its progress, will surely give it. 4

He saw the Maritime Strike as marking the end of one era and the beginning of a new, because it brought about Labor's entry into the political field. He wrote:

The Maritime Strike of 1890 marked the opening of a new chapter in Australian history. It was the first pitched battle between Capital and Labour and was the nearest approach to a general strike that Australia had known... It failed as all general strikes must fail ... in order to fight, men must be fed. The food supplies of the employers were assured, but the strikers were soon unable to feed themselves and their families. And so they were forced back to work: the employers had gained a great victory ... The 1890 strike was not a bolt from the industrial blue, but the culmination of years of industrial unrest which the intolerant attitude of the employer and passing time had rendered more intense... The strike had shown that the country was in the hands of a narrow-minded, purse-proud oligarchy, who controlled the legislature which made laws to serve their interest; the government that administered them; the magistracy that interpreted them; and the police that enforced them. 5

The Maritime Strike of 1890 convinced Hughes that for trade unions the strike weapon was vastly inferior to the alternative of the ballot box. Both in his writings, and in his many

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4. W.M. Hughes, The Case for Labor Sydney 1910 p.91 passim
 5. W.M. Hughes, Crusts and Crusades p. 57 passim

abjurations to the S.W.L.U. in his period of leadership, he declared the superiority of the electoral right to that of direct action by trade unionists. It was his opinion that

Where every man and woman have a vote, and where laws are the reflex of the opinions of the majority, any or every law may be repealed if a majority so desires. Now, it is very clear that in a country where at least 75 per cent of the voters are engaged in occupations - or are dependents of those so engaged - which permit of industrial organization, that it is very much simpler and easier to get, say 51 per cent of the voters to agree upon some political action than to get 75 per cent to agree on a general strike. And it is much more effective. 6

It seemed to Hughes that the advent of compulsory arbitration, made law by the government and binding the master and the worker alike, would put an end to strikes and their evil effects. Not only did he work inside parliament for the passing of the arbitration laws, first in the colonial, then in the Federal government, but he also used his own legal knowledge to aid wharf labourers both in the New South Wales and in the Commonwealth courts.

Hughes's ideas appealed to wharf labourers, both to the veterans of the Maritime Strike and its difficult aftermath, and to "new" wharf labourers faced with a successful parliamentarian

6. W.M. Hughes, The Case for Labor p. 42 passim

prepared to be their spokesman in and out of parliament. The older ones like McKillop and Kelly had seen the failure of the 1890 strike as well as lack of support for schemes of co-operation inside trade unions. In the pre-Maritime Strike days, the union had been able to achieve union recognition and the eight-hour day principle through collective agreement with the employer. When asked his opinion, during the Royal Commission on strikes, of arbitration, McKillop said he had always been a strong supporter of Boards of Conciliation; such a board could have prevented the Maritime Strike. But he was not in favour of compulsion by the government in arbitration. He looked back to successful conferences like that of his own union, and an earlier one of the seamen, with the shipowners.⁷

Following the Maritime Strike and the findings of the Royal Commission on Strikes, the Parkes government passed the Conciliation and Arbitration Act of 1891. Arbitration was voluntary, the court not being able to compel attendance of the parties in dispute, at the court, or make awards or enforce decisions. The measure

7. Report of Royal Commission on Strikes Sydney 1891 p.19

was not without success, but the Labor Party had become convinced by 1895 that compulsory arbitration was needed in the interests of the trade unions; after 1895 the notion spread quickly through the labour movement. The Labor Party did not include compulsory arbitration in its Fighting Platform until the elections of 1901, but by that time employers as well as workers in general supported the idea. The Labor Party claimed credit for all legislation passed by the Dibbs or Reid governments which benefited workers. It seemed that measures appealing to socialists of various sorts could verily be introduced because the workers' representatives were in parliament. What could not be accomplished for wharf labourers by a parliamentary friend and leader of the calibre of W.M. Hughes?

It was not just that Hughes and the S.W.L.U. thought on similar lines about broad political and industrial themes. The very fact that Hughes was not a wharf labourer, that he was a man of superior education, appealed to men whose schooling had been of the minimum. Their own self-respect was enhanced by having

a leader socially superior to themselves. The S.W.L.U. from its beginnings in the 70s had seen itself as a "respectable" body of men. Their 1890 Book of Rules had disallowed unseemly conduct at meetings or at work. Members were not allowed, at union meetings, to smoke or chew tobacco or spit. Intoxication, lewd conversation, profane language were all forbidden. One of the "new unions", in that it was not a benefit society, the S.W.L.U. did include in its first object the undertaking that its financial members would be buried at a cost not exceeding £9.⁸ The avoidance of a pauper burial in death was as important as adequate wages in life; one had to die as one had lived, in a "respectable" fashion.⁹

Over and above all this there was Hughes's personality. Small as he was, he was able, through his dynamic qualities as a leader, to persuade the wharf labourers of the correctness of his point of view. Time and time again in the years after 1899 he convinced the S.W.L.U. to reverse decisions because they went contrary to his preconceived notions of how the union should behave

8. S.W.L.U. Rule Book 1890

9. See wording of wharf labourers' plea to owners in 1882: "We are not able to maintain our families in a comfortable and respectable manner as we should" noted in chapter 2.

in a certain circumstance. On the occasions when his views did not prevail, he leaped to the helm and guided the S.W.L.U. adroitly and speedily to safety. But these occasions were few. Usually it was sufficient for him to give a stern paternal lecture, and the wharf labourers saw the error of their ways.

The history of the S.W.L.U. in the eight years from the re-inauguration to the beginning of 1907 was very much a story of the triumph of Hughes and his ideas. It was a period which saw the passing of the New South Wales Arbitration and Conciliation Act, with the wharf labourers of Newcastle receiving the court's first award, and the S.W.L.U. not far behind in time but more advanced in the type of agreement that Hughes in his capacity as its legal representative was able to win. The federation of waterside workers in all states in Australia was achieved with Hughes as the initiator. In the new arbitration court-controlled climate, many old unions were revived, many new ones were formed and hastily registered.¹⁰ The S.W.L.U. after its ten lean years grew apace, with Hughes ready to give advice on all manner of

10. Eighty seven unions registered under the N.S.W. Act of 1902. The Commonwealth Labour Reports show that by the end of 1905 there were 300 unions in the Commonwealth as compared with 124 in 1891. By the time the wharf labourers received their first Federal award there were over 700.

union problems. The old leaders lost their influence; Hughes and the new ideas prevailed. Where there was opposition, inside or outside the union, Hughes defeated it, proving by his own eloquence or by the wharf labourers' practical experience, that their new leader could do no wrong.

The Sydney wharf labourers did, however, openly and passively resist Hughes's notion of the Waterside Workers' Federation in this period, as something not necessary or relevant to their own advance. Where their wages and conditions were concerned, they usually accepted without hesitation the superior wisdom and negotiating ability of their secretary. Aided by Hughes, the union revised its rules ready for presentation to the Arbitration Court. With the exception of that brief period in 1890 when the union had negotiated for and received increases in wages for ordinary time and overtime, the rate had been 1/- per hour since 1885. Now it was decided to insist on 1/3 per hour with overtime after eight hours for the labourers engaged on deep-sea cargoes. Until such time as the union could argue its whole case in court,

Hughes endeavoured to reach agreement with the Stevedores' Association on those points which had in general become accepted as the common practice in the port of Sydney. Hughes had some success in getting special rates for refrigerated cargoes and in the recognition of specific times for meal breaks and the other rest-pauses known as "smoke-ohs". In the case of the latter, some employers were prepared to concede payment for day and night, others for day only. By the end of September 1900 a great deal of uniformity had been gained, Hughes having been able, through the use of his status and indomitability, to persuade the Steamship Owners to apply their influence with any recalcitrant company.¹¹ Nor were the wharf labourers concerned any longer with the employers' Labour Bureau. Hughes announced that it had ceased to exist early in 1900; the need for it had passed in the new period of economic, political and industrial stability. To ensure that the steamship owners would not suffer from any shortage of labour, Hughes insisted that the S.W.L.U. should give an undertaking that no member should leave the port and work in any place outside Sydney.¹² The

11. S.W.L.U. Minutes 11 July to 26 September 1900.

12. Ibid., 27 March, 26 September, 3 October 1900.

agreements reached by Hughes and the Stevedores in their negotiations during 1900 were to serve very well until the award was formally made by the Arbitration Court. Some firms did break the agreement shortly after it was made, when the code of hours of work and meal-breaks was altered. Hughes called a mass meeting of the union in non-working hours and assured the members that the stevedores had indeed broken a legal agreement. They were notified that the time-code would operate uniformly as from 10 November 1900.¹³

Hughes did not have the same paternal regard for the wharf men of Newcastle. The revival of the union in the northern port had followed closely on that of Sydney. In the past there had always been a close affinity between the two groups but when a proposal was made that there should be joint discussion concerning affiliation, Hughes would not hear of it until the rules of the Sydney union had been safely registered. When this had been done Newcastle was informed that the Sydney body "would allow them to become a branch of this union". Delegates from Newcastle went

13. Ibid., 2 November 1900

to Sydney and were there informed that "they must pay 3d. per year sustenation fee annually for every member enrolled and that no member was to cease work without the S.W.L.U's permission. Soon after, they were notified curtly that if they did not abide by the rules they would be asked to secede.¹⁴ The Newcastle union had been on strike twice in 1900. In May as a result of striking against the Hunter River Steamship Company, wharf labourers were granted a wage of 42/- for a week of 60 hours. In October they struck again, this time succeeding in gaining an agreement based on the union rules, viz. 1/- per hour in ordinary hours and 1/6 per hour overtime. This arrangement worked successfully until eighteen months later, after a disagreement involving the use of non-unionists. The Hunter River Steamship Company decided to dispense with the casual system. Instead the Company proposed to employ constant men at a wage of 48/- for a week of 60 hours, at any time day or night, overtime to be paid after the 60 hours was worked at 1/- per hour for day work and 1/6 at night.¹⁵

The Newcastle union sent their president and treasurer to

14. Ibid., 3 October, 10 October, 28 November 1900

15. N.S.W. Industrial Arbitration Reports 1902 Newcastle Wharf Labourers' Union v Newcastle and Hunter River Company Ltd. pp. 1-15

Sydney to put their case before the S.W.L.U., confidently expecting support. They had offered to work 48 hours for 48/-, leaving the Court to decide on their entitlement to their demand of 6d per hour overtime. They believed the employers were making use of the Arbitration Act, sheltering behind it. The men were not yet on strike but had laid down their ultimatum that they would not work with, or as, constant men (nor would they have them as members of their union; they were "a menace to any society"). After Tuesday of the following week, they would demand an answer to their negotiations. The delegates described their conditions of former years, before the union had started to function again in February 1900. They had had to work for £2.0.0. per week of unlimited hours, often waiting from 9 p.m. until midnight at the beck and call of the employer, for 3/6. There were now 500 men in the union, working as casual hands. Thirty nine men had come to Newcastle "blacklegging". The union had paid the fares of several back to Sydney. Now they wanted the S.W.L.U. to help them by "hampering the company at their end".

In the absence of their secretary, the Sydney union was sympathetic. The president Mr. Morgan said "he had gone to Newcastle himself because he felt someone from the union in Sydney should pay Newcastle a visit. He had been given "a flattering reception". He found that some of the Sydney members had indeed "gone to Newcastle to scab". All the restaurants, he said, and even the Salvation Army, refused to have anything to do with the blacklegs who were housed in filthy and insanitary sheds. He then interviewed Mr. Dick (one of Hughes's legal friends, a member of state parliament) and pointed out that the provisions of the Health Act were being infringed by the conditions under which the scabs were housed and fed. He went as far as Morpeth, interviewing men and appealing to them. One was an inveterate scab from Sydney, and Morgan took his (union) book from him. A stationmaster at Morpeth had tried to produce blacklegs when he should have been on duty; he was now being "investigated at Headquarters". Having heard the Newcastle men and their own president, the S.W.L.U. promised its full support

and made an immediate donation of £20 for the expenses of the Newcastle men's visit to Sydney.¹⁶

The Newcastle wharf labourers were not included in Hughes's first arrangements for the Waterside Workers' Federation but at a meeting of the council early in April it was decided to ask the union if David Watkins M.L.A. for Wallsend (a Newcastle electorate) would be representing them.¹⁷ Later in the month the dispute at Newcastle was discussed and the Waterside Workers' Federation Council was told by its president (W.M. Hughes) that he had telegraphed Mr. Wise, Attorney General of N.S.W., asking him to call the Arbitration Court together immediately, for the purpose of settling the dispute between the Hunter River Steamship Company and the Newcastle wharf labourers. He had also sent a telegram to the manager of the Coastal Steamship Association, drawing his attention to the breach of the Arbitration Act by a member of that association. Correspondence was received from Newcastle appealing for financial assistance for the 100 men affected, and it was decided to send out an appeal for aid

16. S.W.L.U. Minutes 16 April 1902

17. W.W.F. Minutes 4 April 1902

to the various branches. Hughes was to go to Sydney as soon as convenient and to have full power to act for the council concerning the Newcastle lock-out.¹⁸ Two days later a special meeting of the Sydney union was called to hear their secretary speak about the Newcastle problem. At this meeting Hughes indicated that he was disturbed about the Newcastle situation in that it could prejudice the Sydney wharf labourers vis-a-vis their own projected arbitration case. He advised caution, saying that "the position was sufficiently serious to warrant us being very cautious, as any rash or precipitate action on our part would not only prejudice our case but would also endanger our funds". He advised no action at all pending the court's decision about Newcastle. The court, he said, would be called together in the course of a fortnight. In the meantime he suggested

that the Morpeth men be granted £100 and the Newcastle union should state their case for the Court in the following letter to the employer; That the Company revert to the conditions existing prior to the dispute; that the members of the Newcastle union be reinstated; that the non-union men be dismissed; that any expense incurred by breaking existing contracts with the non-union men be shared equally by your Company and the union - such

18. Ibid., 23 April 1902

expenses to be strictly limited to the amount of wages due in lieu of notice agreed upon between the non-union men and their employers. This letter to be signed by Hughes. 19

This admirable stating of the union's case had no effect on the Hunter River Company. It refused to change its decision. Meantime Hughes had had a conversation with Mr. Wise the Attorney-General during which, he reported, he had impressed on Mr. Wise "the necessity of having the case dealt with in reasonable time, otherwise we might be compelled to take the law into our own hands".²⁰

In the following month another £50 was donated by the Sydney union to Newcastle's cause, but when Wilson, the Newcastle delegate, appeared at a meeting of the Sydney union asking for further assistance because the Newcastle case, now before the court, was costing £35 a day, Hughes was present and he asked "Why engage barristers at all?". "The other side has the best" replied Wilson. "We want to meet on equal terms". Hughes then rebuked him:

19. S.W.L.U. Minutes 25 April 1902

20. Ibid., 30 April 1902

It was a thousand pities they had not allowed the case to be decided on its merits instead of trying to compete with a wealthy company. Further it was a very bad precedent to establish, as small unions would not be in a position to produce legal assistance.

Wilson retired while the Sydney members discussed the matter.

One member suggested a loan of £300. To this Hughes replied in a way which reveals much about his single-mindedness concerning causes which he had made his own. The idea of the loan, he said,

was the most astounding proposition he had ever heard. Newcastle had taken on themselves to incur expenses for which there was absolutely no justification because they simply had to present facts to a judge, not a jury. If they win it will be a nail in our coffin because that they are asking for we want to have replaced by better terms. They had never consulted us as to any steps they were about to take. He did not object to a solicitor, but if they intended to look to us to supply the funds they should have consulted us beforehand ... These men had done a lasting injury to the trade unions of N.S.W. ... because small unions like the tailoresses would never be able to procure the same legal talent as a wealthy firm like Anthony Hordern. If they win they will damn us because they are only demanding 1/- per hour whilst we are at present engaged in a struggle for 1/3. Under no circumstances should we dream of doing what they ask.

In the debate that followed there were those who were concerned about leaving Newcastle "in a hobble at this particular time"

and others who considered the Arbitration Court as "a new nest in which the working classes were to lay golden eggs for the lawyers". But the influence of Hughes prevailed; it was decided that no funds could be supplied for Newcastle. Hughes then went on to speak confidently of Sydney's case. He had made all the arrangements and would want absolutely reliable evidence of anything useful. His final instruction reads rather strangely "We would want the books fixed up so as to show we couldn't on an average earn more than a certain amount per week. Then the other side must prove that the trade won't stand a higher rate".²¹ The instruction is an example of the "native cunning, personality and tremendous ability" of Hughes.²²

Hughes was always to insist that once agreement on any matter was gained, his power should be complete and that it should be officially stated so. "If the union entrusted their case to him he would like to have full control and be unfettered in any arrangements he might wish to make". The S.W.L.U. was wholehearted in its accession to his demands. It was soon to learn

FOOTNOTES

21. Ibid., 21 May 1902

22. D. Whittington, Ring the Bells, Melbourne, 1956, p. 73

moreover that if it wanted benefits from the Arbitration Court it would have to "lay golden eggs for lawyers". Nor did it see any inconsistency in Hughes first expressing righteous indignation concerning Newcastle's desire to employ legal aid and a week later declaring that

the other side had briefed leading counsel so members should put aside their prejudices and consider whether their cases would be best served by the employment of first class counsels. If they wished to overlook himself and employ counsel or indeed any other member of the union, he should not feel in any way offended... As the other side had engaged counsel he would require assistance and intended to employ Mr. Dick M.L.A. who had been a wharf labourer and whose sympathies would be on the union's side. His fee would not be outrageous. Then he would need two solicitors.

All his wishes granted, Hughes departed, having left the members with those tasks they could well manage. They had to choose the witnesses who could best give prepared evidence. The evidence would concern their earnings and cost of living. There were also the matters of the unhealthy and dangerous nature of their work and the strength and endurance required on special

cargoes such as frozen meat, wheat and wool. They would need to speak of the indignity, inconvenience and injustice to which they were subjected in having to wait around for hours for the wages which were justly due to them. The general customs of the port in which they worked should be emphasised.

When he was able to be in Sydney he attended the weekly union meetings. Then there were the meetings in Melbourne of the Waterside Workers' Federation Council held monthly or more often. There was also his responsibility as M.H.R. in the Commonwealth parliament. He had actually gone from a strenuous journey in connection with the site-seeking expedition for the Federal capital just prior to his emphatic utterances about the Newcastle arbitration case.²² There were always his legal studies - he was to be admitted to the New South Wales bar at the end of 1903.²³ He was indefatigable, giving the impression that the thing in hand at the moment took up all his attention, as it would have in the case of an ordinary man. When he was unable to attend the S.W.L.U. meetings, the members would be reminded of their duties

22. L.F. Fitzhardinge op. cit., pp. 148 passim

23. Ibid., p. 154

by his frequent letters; they must have for the court a tabulated list of names and addresses; he had asked the Brisbane men to make a formal demand for 1/3 per hour; some ports above Rockhampton were getting 1/6, he had ascertained; and all New Zealand ports were receiving 1/3 with 2/- overtime. He occasionally rebuked the Sydney members: "It was a ghastly commentary on the union that out of a body of 3000 men he could not find enough witnesses to give evidence on behalf of their mates in a case in dispute with the Court". "He and the solicitor were working energetically on the case."²⁴

When Hughes was not present at the weekly meetings the members demonstrated an anxiety which his presence inhibited. They became so anxious about the case on which so much of their energies had perforce been centred that they began wondering if their as-yet-~~legally-unqualified~~ leader would be sufficient safeguard. A notice of motion read "That this society respectfully begs to bring under the notice of Mr. Hughes the advisability of procuring a barrister to conduct our case in the Arbitration Court". Hughes

24. S.W.L.U. Minutes 28 May, 18 June, 16 July 1902

had no difficulty in counteracting such hesitation. He "pointed out the inconsistency of the proposal seeing we had already entrusted him with the case. If he saw the necessity of employing a barrister, he would not hesitate to do so. He offered to defray the expenses of a vote by ballot on the matter, but failing that he would not shift from the position he was placed in". The president, Mr. Austin, who had been the instigator of the motion replied that he thought the matter was in the interest of the union; grave issues were at stake; elaborate preparations had been made by the other side to defeat the union at all hazards. Beeby and Brown (the union's lawyers) would decline most likely to instruct a layman in the court because of legal etiquette. He did not wish Hughes out of it but he did think Hughes should have assistance. Austin's motion was lost by a large majority. The well-attended meeting indicated its firm faith in the Secretary.

The Newcastle men's case was heard in May 1902; they achieved all they wished for, which could be summed up by saying that the Court granted the desired 1/- per hour, the 8-hour day and

preference to unionists. The Sydney men's case was heard before the year was out; they achieved nearly all they wished for, including 1/3 per hour and preference for union members. Hughes's point of view can therefore be appreciated. His objection to the lower rate that was Newcastle's aim, his anxiety that nothing should prejudice the Sydney case, his insistence on his own right to conduct the court bargaining on his own terms, can all be vindicated. The Newcastle case was the very first the N.S.W. Arbitration Court was to hear. The expectations of the Sydney case were to have a large influence on the future of the S.W.L.U., its notions of what should be its aims, and its type of leadership.

In the case of Newcastle the court recognized that a disagreement existed because the Company (the Hunter River Steamship Co. Ltd.) wanted to employ constant hands instead of casual labour. The offer of employment on these terms had been made to the unionists who would not accept the offer. The Company then employed non-unionists, an action which the Newcastle Wharf Labourers' Union termed a lock-out. The union also claimed 1/- per hour as the

wages for "ordinary" time.

When the company had been formed in 1892, by combining two companies, it employed wharf labour at Newcastle and Morpeth at a weekly wage of 40/- for unrestricted hours of employment, which meant that the labourers had to respond to the call of the company at any hour of the day or night. The men, desiring to be relieved of the suggested hardships of this agreement, in February 1900 formed themselves into the Newcastle Wharf Labourers' Union and in May 1900 struck for an increase of wages and shorter hours, which resulted in the Company granting a wage of 42/- per week of 60 hours. The men struck again in October 1900 and it was agreed that the pay should be on the basis of union rules: 1/- per hour in ordinary hours and 1/6 per hour overtime and holidays. This arrangement was adhered to from October 1900 to April 1902.

The union had a picnic on 5 March and said that no work could be done on that day, so the company employed non-unionists. The company then decided to dispense with the casual system, suggested perhaps by the unionists' refusal to work on 5 March, but probably

decided upon in consequence of the falling-off of trade. The Company then decided to take on constant men for a wage of 48/- for a week of 60 hours at any time of the day or night, with overtime after 60 hours at 1/- per hour 6 a.m. to 6 p.m. and 1/6 per hour 6 p.m. to 6 a.m. Preference would be given to the members of the N.W.L.U. The union refused the terms, and on 9th and 10th April the Company procured non-unionists from Sydney, displacing men at Newcastle and Morpeth. The union proposed the operation of a provisional agreement until the Arbitration Court discussed the matter. The company would not agree to this, so the unionists were out of employment from April 10th. The judges considered that freedom of contract existing prior to the passing of the Act had been considerably modified. The basic principle of the Act was continuity of employment and operations. The profits of the company would fall short of those of the previous year by £500 - £2000. In this state of things the Court recognised the necessity for considering the position of the company and the interests of the shareholders who during the past 10 years had received a moderate

average dividend of $5 \frac{5}{8}$ per cent. There was no reserve fund beyond a Depreciation of Boiler Fund of about £4000, and a balance of £1500 carried forward.

When the Court was invited to deal with the matter it had to consider what should be done with "equity and good conscience", to cite the words of the Act which described the essential principle that should mark the Court's decisions. It decided that the status quo should be re-established but the union should be bound by agreement, so that the company should have sufficient labour. The hours were to be 7 a.m. to 5 p.m. on week-days and 7 a.m. to 12 noon on Saturdays. The wages would be 1/- per hour, with overtime at 1/6 per hour; however 2/- per hour was to be paid between midnight Saturday and 7 a.m. Sunday. The union was to provide wharf labour and the company was to be allowed to employ non-union labour if there were insufficient union labour. In this case the union men were to work in harmony with the non-unionists.²⁵

The award for the Sydney union almost exactly duplicated the

25. N.S.W. Industrial Arbitration Reports 1902 pp. 1-15

new working rules of the organisation, so carefully worked out under the supervision of Hughes. Hughes appeared for the S.W.L.U., and the award, which took effect from December 1902, was the basis of the arrangement which lasted for the three years up to the end of 1905. With some minor adjustments it actually lasted in the port of Sydney until the first Federal award in 1914, when Hughes was again responsible for the preparation and presentation of the wharf labourers' case. The provisions of the 1902 award included the payment of 1/3 per hour for ordinary cargo and a special rate of 3/- per hour for the special cargo of frozen meat. No other special cargo rates were awarded.²⁶

The deep-sea award can well be seen as a triumph for Hughes, in the clearly-stated granting of preference, and in the 1/3 per hour for eight hours, with all work beyond the eight hours being considered as overtime at 1/9 per hour. These were very good rates for unskilled labourers at this time. Skilled bricklayers were paid at the rate of 11/- per day; bricklayers' labourers received only 9/-; labourers employed by the Sydney City Council

26. See Appendix 1 for the provisions of the award.

were paid a mere 7/- until, at the end of 1907, their daily wage was increased to 8/-.²⁷

It is not surprising that in the first flush of joy following the announcement of the award, the union should have extolled the virtues of the Arbitration Court as it did in the following letter to American watersiders:

March 12th. 1903

Dear Sir

Your communication of 5th. ultimo to hand and was laid before my Union at our usual weekly meeting last night, the contents were specially noted by all the members present; of course as you are well aware we have an Arbitration and Conciliation Act here whereby both Wharf Labourers and Stevedores are controlled but if any hanky panky work is tried on by Capt. Doty he will find he is in the right quarter to be dealt with as such Scum deserves to be dealt with.

I, on behalf of the Union thank you for the information and trust you have not many such men as McDermot and Doty to deal with. I will let you know when the Calafornia [sic] arrives and acquaint you with any thing of importance that may occur regarding the Ship and the work of discharging it.

I have no doubt this will be discharged by some of the Sydney Stevedores and if so Capt. Doty nor any of his men will be allowed to handle one oz of the Cargo nor even allowed to rig the Gear used for discharging same.

Wishing your Union future prosperity and good feelings with your Stevedores

Believe me to be

Yours fraternally,

S.T. Harrison

Financial Secretary.²⁸

27. Daily Telegraph 24 December 1907

28. S.W.L.U. Letter Book 12 March 1903

It was unfortunate that the agreement with the deep-sea stevedores could apply to only half the labourers on the Sydney wharves. Those employed by the coastal and interstate companies still received the old rate of 1/- per hour ordinary time and 1/6 overtime. Work at Circular Quay, and at the other wharves where the overseas vessels docked, was in general the same type of work as was done by wharf labourers at the Sussex St. wharves where the interstate and coastal vessels were discharged and loaded. Sometimes the cargoes were the same yet for several years there was the vexatious anomaly of different wages for the same work.

Since the interstate and coastal companies had accepted the award laid down for the Newcastle waterfront, it is not surprising that they would expect to pay the Sydney men at the same rate. Nor would the Court consider another award, for the non deep-sea labourers in Sydney, to be a matter of urgency, when there were so many other sections of industry clamouring for attention. It is possible that Hughes did foresee the inevitability of industrial trouble on the waterfront when half his members were receiving a

larger wage than the other half. On the other hand, while he did not express this in so many words, it is possible that he had realised the complication of Newcastle's haste for an award; this would explain the irritation he showed when the Newcastle men sought Sydney's financial aid.

The S.W.L.U. was trapped in its own engagement with the Arbitration Court. Having accepted the deep-sea agreement, it had to wait for the promised coastal and interstate one; it soon learned that it would have to wait for a lengthy period. In April 1903 Hughes warned that there would be a delay of 12 months.²⁹ In fact the union had to wait until the end of 1905, by which time the deep-sea agreement had to be renewed. Neither the interstate award nor the re-negotiated deep-sea one were to be received with full satisfaction.

The years between the making of the 1902 agreement and the beginning of 1907, when the S.W.L.U. finally reverted to strike tactics, was a period of expensive litigation. Firstly the deep-sea agreement had to be continuously defended. Mr. Harrison,

29. S.W.L.U. Minutes 8 April 1903

the financial secretary, had to write frequent letters to Mr. McDermott, the Secretary of the Stevedores' Association, later the Steamship Owners' Association, pointing out the breaches made in the award. When the replies were not satisfactory the matters had to be cited in the Court, entailing the use of the union's solicitors, Brown & Beeby. Not infrequently these breaches concerned short payment. The members of the union would keep careful records of all the hours of payment due to them, accept the wrong amount and sign for it ("Received under Protest") then raise the matter with the union. Two examples will show the very real basis of the objection. J. Maher received £1.7.0 for a week's payment. He had been employed for 27 hours over a period of four days, for which he was entitled to receive £2.1.6., half an hour being lost through rain. Another member, Chas. Mitchell, worked 19 hours in three days for which he was entitled to receive £1.18.4 $\frac{1}{2}$, but was paid only 18/-. As can be seen, in each case the wage was small enough, yet the man had been underpaid by one-third.³⁰ The wages quoted were for deep-sea workers.

30. S.W.L.U. Letter Book 14 April 1904

Being odd samples, they do not show necessarily the average weekly wage; this was made larger in the wheat and wool loading seasons when the labourers on such cargoes would not only work a full week but also earn much in overtime rates.

For those who spent most of the time working at the lower rate paid by the interstate and coastal owners, the lean times were leaner, the average wage less. Whenever possible the union would try to ensure a common rate. Success was achieved in the Island Trade where the deep-sea rate was awarded for the unloading of such cargoes as copra from Fiji, although the ship was not usually engaged in overseas trade.³¹ Deep-sea rates were also applied for and gained in the transshipment of goods from interstate vessels to overseas ones on lighters.³² These gains cost the union dearly in legal expenses. The firm of Beeby and Brown rarely charged less than £150 or £200 for appearing in court on the union's behalf. Where witnesses were required in court actions, the union paid deep-sea rates: 10/- per day. During the preparation of the Interstate award in 1905, Brown and Beeby

31. S.W.L.U. Minutes 15 April 1903

32. Ibid., 21 October 1903

sent accounts to the union totalling £500. The appeal against the award cost the union £1352.2.2.³³ The union found itself needing to make economies; it decided against the expenses of a display in the 1905 eight-hour day procession; it hedged about the payment of its dues to the Waterside Workers' Federation, and had to be persuaded by Hughes against withdrawing altogether. When the long-expected award was made it proved not only costly in the getting but disappointing in the outcome. There were expressions of indignation at the weekly meetings, where members expressed first a desire to withdraw from the Court and then a plea to the Sydney Labor Council to get all the affiliated unions to obtain cancellations from the court while Judge Heydon was the President.³⁴ For a brief period the union changed its solicitor, deciding to give its cases to the lawyer and Labor M.P. W.M. Daley.³⁵ Over and above the idea that some judges were worse than others, and some lawyers charged higher fees, was a deepening disillusionment regarding the whole institution of Arbitration.

There was no loss of faith in Hughes however. The S.W.L.U.

33. Ibid., 20 September 1905, 16 May 1906

34. Ibid., 25 October 1905, 8 August 1906

35. S.W.L.U. Letter Book August 1906

was convinced that he was the expert in any matter concerning the employers and the Court. Hughes himself was confident that the patience of the S.W.L.U. would be rewarded when the long-awaited case of the Wharf Labourers' Union v. Interstate Steamship Owners' Association and Coastal Steamship Association was heard in September 1905. Hughes had declared in his role of chairman, in the Royal Commission on the Navigation Bill, that the shipping industry was a remarkably good one and that one of the Interstate Companies, the Adelaide Steamship Company, was in a very sound position; the market value of the company, £30,000 in 1890, had increased to £500,000 in 1905. Judge Heydon however did not take such matters into consideration. His predecessor, Judge Cohen, had examined the usage in the port, and the ability of the owners to pay a particular rate, the just amount due to the employees.³⁶ Judge Heydon decided, instead of raising wages, to alter the balance between rates for ordinary time and those for overtime. He lowered the overtime rate from 1/6 per hour to 1/4, putting an extra 1½d. on to the ordinary time rate of 1/-. This

36. N.S.W. Arbitration Reports 1902 op. cit.

piece of arithmetic meant that instead of an increase in the overall wage there was a decrease. Instead of following the preference system, the Judge decreed that the employers could employ any number of constant hands at the wages they pleased so long as those constant hands were employed for three or more days per week. The Newcastle award and the deep-sea agreement had both put controls on the terms of employment of non-union labour. Thus instead of improving the position of the men employed in the interstate and coastal trade, the award worsened it. When the union was informed of the new award it immediately referred the matter to Hughes to make whatever arrangements were possible for improving on it.³⁷ Hughes did his best but the employers were adamant; the owners threatened to apply to the Court for the cancellation of the union's certificate and in the face of this threat Hughes signed the agreement after eight months of fruitless negotiation.³⁸

The union's disappointment was a soundly based one. The

37. S.W.L.U. Minutes 4 October 1905

38. Ibid., 9 May 1906

employers used the right given them by Judge Heydon, to save money by using the constant hands at every opportunity. To avoid paying the deep-sea rate to the "interstate" men, the Pastoral Finance Association used non-union labour to load a lighter with frozen meat, paying $10\frac{1}{2}$ d. per hour.³⁹ The union was not even allowed to decide who should enter its ranks by the old method of balloting. Occasionally an applicant would be rejected on the grounds of having been a blackleg or a thief, though as Hughes remarked "we have only excluded ten applicants in seven years, so that it is a matter of principle with us, not likely to be abused".⁴⁰ One such rejected applicant having appealed to the Court, and the union insisting on its right to refuse him on the grounds of his undesirability, the Court's threat to end the qualified preference to unionists was carried out.⁴¹ The year 1906 was indeed a bad year for the S.W.L.U., more particularly for those of its members employed in the interstate and coastal trade. The anger of these men was to boil over before long, in the S.W.L.U.'s first strike for a decade.

39. Ibid., 18 July 1906

40. Daily Telegraph 6 February 1907

41. N.S.W. Arbitration Report 1906

The 1902 deep-sea agreement was due for re-negotiating at the end of 1905. The S.W.L.U. waited until their secretary could be in Sydney to lead the negotiations; this resulted in some delay, Hughes not being able to attend a meeting until 20 December 1905. Within a month Hughes and the other executive members had completed all the discussions, gained the members' acceptance and signed the agreement. There had been difficulties: the owners had wanted to reduce the rate for ordinary time to $1/2$ per hour with $1/8$ overtime. This had been refused by Hughes. The owners then insisted that they would pay the old $1/3$ and $1/9$ only if the wharf labourers would work 48 hours at the ordinary rate. The wheat question was another difficulty. The stevedores were prepared to pay extra for wheat carrying only if the rate for general cargo was reduced. A compromise of $1/4\frac{1}{2}$ per hour made by Hughes to the wheat-carrying labourers was rejected. The best he could do then was to get a somewhat later start in the mornings for the wheat men with the outcome of a 44-hour week as opposed to the 48-hour week of the men on general cargo. The

agreement had to be accepted and while the wheat carriers claimed that their problem had not been given sufficient priority at the conference, Hughes rejected such a charge. Hughes and the executive officers received the hearty thanks of the S.W.L.U.⁴²

Thus while those employed in the deep-sea trade were still better off than those in the interstate and colonial, the former had in reality to accept a loss in the wages they had enjoyed for the past three years, since the agreement demanded a longer working week for the same rates. The necessity of making or renewing an agreement at a time dictated by the Court indicates one of the disadvantages of arbitration in this period, from the employees' point of view. As can be seen from an economic analysis it was only after 1906 that Australia's gross domestic production began to show a definite rise. The year 1903/4 had merely seen a return to the 1891 level and at the time of the re-negotiation of the 1902 award in 1905, gross domestic production was almost stationary.⁴³ From the point of view of gross capital formation, while the year in which the award had first been fixed was a

42. S.W.L.U. Minutes 20 December to 17 January 1906

43. N.G. Butlin, Australian Domestic Product, Investment and Foreign Borrowing 1861 - 1938/9 p. 461

"healthy" one for the shipping industry, 1905/6 showed a dramatic drop.⁴⁴ The wharf labourers then were endeavouring to maintain the status quo overall in a period when labour was plentiful and shipping profits down. They could consider themselves more fortunate than other workers on the waterfront, such as carters, whose wages, never as high as those of the wharf labourers, fell in 1906 and did not recover until 1909.⁴⁵ Thus while the cost of living was higher and the value of real wages lower for all workers than it had been when the 1902 agreement was made,⁴⁶ the S.W.L.U., tied to its Court arrangements, could not consider alternative action. The union as a whole had the same ideas as Hughes; one did not lightly stop work; one applied to the Court.

The unionists themselves were experiencing in general much hardship, which indicates the reason for the S.W.L.U.'s readiness to accept the new deep-sea agreement. The union funds had been strained by legal expenses, but financial difficulties notwithstanding it was thought necessary to lower the annual subscription rate from 10/- to 5/-. Hughes opposed the move but the union

44. Ibid., p. 18

45. Ibid., p. 181: Table 97 Yearly Wages.... (£)
 Wharf labourers Carters etc.

1901	90	80
1902	96	90
1903	96	95
1904	96	90
1905	96	90
1906	96	83
1907	96	85
1908	96	88
1909	96	90

46. Commonwealth Labour Report No. 2 (Unit: £)
 Money wages Cost of living Real Wages

1901	848	880	964
1906	866	902	960

persisted and early in 1906 the Registrar of Trade Unions was duly informed of the new rate.⁴⁷ Whether their secretary was concerned about the union's financial position, or whether he felt the need to make a generous gesture in this difficult period cannot be known. The fact remains that while the union was in process of lowering the annual subscription, Hughes raised the matter of the amount owing to himself in legal expenses for the Arbitration Case of 1902, over three years before. He said that costs incurred had actually been £189.11.0 but he would accept only £89.11.0., provided no single member objected. The amount of £89.11.0. was passed for payment, unanimously.⁴⁸ Hughes did not like ever to be out of pocket in his work for the wharf labourers.

The Arbitration Court's decisions concerning the deep-sea employees engaged in the loading of wheat had been found unsatisfactory by the wheat men both in 1902 and in the re-negotiated agreement of 1905/6. Their problems were very real, but went beyond the scope of the waterfront and beyond the jurisdiction of the New South Wales Court of Arbitration and Conciliation. Much of the

47. S.W.L.U. Letter Book 20 February 1906

48. S.W.L.U. Minutes 7 February 1906

union's discussion in 1906 was centred on the wheat problem, and it deserves special attention. The other major problem in 1906 was the grievance arising out of the Interstate and Coastal Award. There were conferences between the Conciliation Boards of the union and employers but they were abortive. Hughes did what he could in the organising of meetings with the owners to discuss the "common rule" - the application of deep-sea rates to those engaged in the interstate and coastal trade. Such a conference in October 1906 had to be postponed because of the refusal of Hughes to sit with one Smith, a representative of the owners, who, Hughes alleged, had tried to break into one of the meetings of the S.W.L.U., and he "refused to sit with such a man".⁴⁹ The deadlock was broken by the wharf labourers employed in the interstate trade; early in January 1907 they refused any longer to endure the ignominy of doing the same work as deep-sea workers for less pay. The dispute concerned the handling of copper, ore and bullion. It was significant in two ways; it was the first time that there had been a strike during the seven years of Hughes's leader-

49. Ibid., 31 October 1906

ship; while it was a brief strike, it resulted in an agreement, later ratified by the Court, between owners and employees in the interstate trade, an agreement which had taken over four years' unsuccessful legal negotiations. The significance was acknowledged in the space given to the dispute by the daily press.

Early in January, men employed by Scott Fell and Co. on an interstate ship handling ore, struck work for deep-sea rates. The company, not a member of the Interstate S.S. Owners' Association, conceded the increase under pressure. The union decided to contact Mr. W.M. Hughes asking him to arrange a conference with Mr. Howell, Secretary of the Interstate Association, when the ore matter could be discussed.⁵⁰ The labourers, however, could not be contained, as the following press report indicates.

The trouble is not altogether unexpected and has in fact been simmering for some little time. The rates fixed by The Arbitration Court some months ago for this class of work were $1/1\frac{1}{2}$ and $1/4$ per hour for day and night work respectively. It so happens however that a shipping firm which has to do in a large way with ore and bullion is not a member of the Steamship Owners' Association and the men have refused to handle their cargo except at the rates paid by the overseas owners, namely $1/3$ and $1/9$. The firm in question offered to accede to the demand if

50. Ibid., 16 January 1907

other owners interested would do likewise, but the members of the Association (Steamship Owners') being bound by the award, are unable to do otherwise than abide by its provisions, while the other firm not being a member of the Association is free to act in whatever way it chooses. The climax was reached on Thursday when the Adelaide Company's steamer Nardoo, which was to discharge ore into the German-Australian steamer Alster had to be idle for nearly 24 hours in consequence of the refusal of the men to work unless their demands were acceded to. On the following morning other men were engaged at the rates provided in the award, but those on the Alster refused to take the cargo from them, with the result that there was a cessation of work on both steamers...

Clause 14 of the award was then brought into requisition. The result was that Mr. Howell as representative of the shipowners and Mr. W.M. Hughes M.H.R. met yesterday when the matter was discussed at length and adjourned for several days during which both parties would refer to their respective organisations. 51

While negotiations continued, ships belonging to Howard Smiths, Union S.S. Co., Adelaide S.S. Co. and the North Coast Co. were laid up. The owners organised supplies of non-union labour to augment their permanent men. This was a comparatively easy matter but expensive delays could not be avoided. The dispute also affected deep-sea ships where wharf labourers refused to work on any part of a cargo which had been handled by non-

unionists engaged on lighters transshipping from interstate ships.

Hughes attended a meeting of the S.W.L.U. on 23 January and urged the men to resume work. He also advised that "the union should not instruct members what course they should adopt because it was an individual matter". The latter statement was based on his desire to prevent the union from being officially involved in a strike, illegal from the Arbitration Court's point of view. The men involved replied "that the ore was exported once it left Port Pirie, so it was no good the union instructing them (to return to work) because they would not handle it unless for deep-sea rates".⁵²

Non-recognition of the dispute by the union was a tactic which deceived nobody; the issue was a vital one, comprising not only the long-standing grievance of the interstate men concerning wages, but also the matter of preference for unionists, which concerned the whole membership.

When the employers saw that the dispute was to continue, and possibly extend, they hastily summoned Hughes, to arrange another

52. S.W.L.U. Minutes 23 January 1907

conference with the Interstate S.S. Association. For his part, Hughes, recognising the intransigence of his members, decided that the climate was right to make demands of the employers which the Court had not seen fit to grant. This was typical of Hughes's art of generalship; if his tactics failed in one part of the field he would turn the battle to another. There was also another ambition spurring him on; he had been selected by Deakin to be one of the delegates to represent the Australian Commonwealth at the Navigation Conference to be held in London; the names of the delegates were announced in the daily press amidst the latest news of Hughes's negotiations with the ship-owners. Hughes wanted the waterfront trouble ended before his departure on R.M.S. Orient on 9 February. He set himself to the task with vigour and skill.

At the weekly union meeting following the strikers' firm stand, Hughes gave a report on his progress with the employers and suggested:

That the shipowners on their part agree to discharge all the constant hands and non-unionists that they had engaged

since the dispute originated; and that the union agrees to pay all the men engaged on copper, ore and bullion, between Friday (2 days after the meeting) and Monday noon, the difference between the deep-sea rates and the interstate rates, if the shipowners refused to do so.

The union adopted Hughes's suggestions unanimously. They agreed too to send an apology to the overseas stevedores for the way the members had treated them during the strike, Hughes having interviewed the stevedores and promised this.⁵³

Hughes was then able to return to bargaining with the employers with the welcome news that his members would return to work pending the results of the conference. At a special union meeting a few days later, 1300 members heard their secretary announce the details of the new agreement for the interstate trade. The ordinary rate for general cargo would remain at $1/1\frac{1}{2}$ per hour but the overtime went back to the old rate of $1/6$. Copper, ore and bullion, would be paid at the deep-sea rates: $1/3$ and $1/9$. The hours were to be fixed at 7 a.m. to 5 p.m. with defined meal hours and smokeoh breaks which, when worked, would be paid. Overtime rates after 5 p.m. on Saturdays (which had been struck out by the Court in 1905) were to be restored to 2/- per hour. Those starting work at nights, after 7 p.m., would enjoy the same breaks and overtime rights as the deep-sea men. Preference to unionists

53. S.W.L.U. Minutes 30 January 1907

would operate and the other vexed question of constant men would be solved by reverting to the 1902 arrangement: they would be paid £2.2.0 for 48 hours with overtime rates the same as for the casual, union labour.

The agreement was accepted unanimously. It was to be consolidated with the remaining clauses of the award and filed immediately as an independent agreement in the Arbitration Court, and to operate for three years. There would be a Board of Conciliation to handle any disagreements, this body to consist of three representatives from each side. Commenting to the press Hughes expressed his own satisfaction; the men on general cargo had received an increase of 2d. per hour; for the first time there was preference in the interstate trade without any restriction. The right to ballot for admission of new members had been conceded although the union had to undertake not to increase the admission fee beyond 10/-. He felt the union had every reason to be well satisfied except concerning the matter of constant hands (the deep-sea owners, it will be recalled, had agreed to a fixed number of

these in the deep-sea award). "And in this particular matter" said Hughes "the shipowners have evinced such an amount of sweet reasonableness that we have no particular cause of complaint". Mr. Howell of the Interstate S.S. Owners' Association expressed admiration "for the manner in which Mr. Hughes fought his side of the question for although he was a hard fighter I found that he was not altogether unreasonable".⁵⁴

A further special meeting of the S.W.L.U. took place before Hughes's departure (this being the third meeting in seven days). He wanted the subscription for the current year to be raised to 10/- forthwith. This was decided without demur. He was then "requested to represent the society in Great Britain, and to be supplied with credentials, and wished Bon Voyage and safe return and God speed him wherever he goes".⁵⁵

Having instructed the president "For God's sake don't have a strike before I return"⁵⁶ Hughes departed for Great Britain, well pleased with what he left behind him. The branch put all other matters aside and proceeded to hold its annual picnic.

54. Daily Telegraph, 6 February 1907

55. S.W.L.U. Minutes 6 February 1907

56. Ibid., 1 May 1907

In the whole of the period that has been under review, arbitration matters had loomed large in the discussions at union meetings. Hughes's role vis-a-vis Court and employers endeared him to the wharf labourers. There were however many other issues in which the union was involved and in nearly all of these the role of Hughes was dominant. From the beginning of his leadership, Hughes seemed to the majority to be one who could do no wrong. Any criticism was indignantly refuted. Several examples, other than handling of industrial affairs will show the deep regard in which the wharf labourers held their secretary. First there was the case of affiliation with the Labor Council. As has been seen, the S.W.L.U. had retained its links with the Council regardless of changes in the nomenclature, and even in those difficult times when the union itself existed only in name. The Sydney District Council of the Australian Federation of Labour became the Sydney Labor Council (and later the New South Wales Labor Council). When the revived S.W.L.U. received correspondence regarding re-affiliation, the first impulse was to join. Hughes, for some

reason not revealed in the records, was "strongly against affiliation" and the Labor Council was informed of the S.W.L.U.'s non-compliance. Cochrane, the secretary of the Council, was himself a member of the S.W.L.U. and had been president of the union in 1897. He expressed his surprise at the union decision in a letter to Hughes wherein he wrote that in his opinion "Mr. Hughes' speech of the previous meeting savoured of blackleg". When this correspondence was read by the secretary the meeting recorded in the minutes its disapproval of the letter and the fact that "Mr. Cochrane apologised and explained that he had no intention of making an aspersion on Mr. Hughes' character".⁵⁷

Another example of the wharf labourers' rising to the defence of Hughes occurred in a disagreement which took place between their secretary and the socialist Harry Holland. In November 1901 the Tailoresses' Union under the leadership of Holland went on strike against Anthony Hordern & Son. The S.W.L.U. received a deputation from the tailoresses, donated £25 to their cause and authorized Mr. Hughes "to write to Hordern disapproving of the

57. S.W.L.U. Minutes 21 February 1900

system adopted in his establishment, and that members have unanimously decided not to purchase any non-union manufactured goods".⁵⁸ The tailloresses received support from several other unions and from the Sydney Labor Council, but their leader, the unfortunate Holland, soon antagonised the latter; possibly, as one historian suggests, because of his anxiety to further the cause of socialism he saw the strike as something which could be used for his own militant socialist purpose.⁵⁹ He also offended Hughes who, having been unable to attend the S.W.L.U. meetings of 4 and 11 December, was present on 18 December and as the minutes state "after a protracted absence was accorded a flattering reception. He spoke in strong terms concerning certain slanders falsely and unjustly cast upon his character". The "slanders" had been cast by Holland, and the S.W.L.U. proceeded to admit a deputation from the Tailloresses' Union only "on condition that Mr. Holland withdrew and apologised for certain malicious charges against Mr. Hughes. After a heated interchange of conflicting statements it was eventually decided to request Mr. Holland and his confreres to

58. Ibid., 27 November 1901

59. P. O'Farrell, Harry Holland Militant Socialist Canberra 1964 pp. 18 passim.

withdraw".⁶⁰ At the following meeting "Messrs. Holland and Hughes met by arrangement to settle some differences re charges made by the former". After both had spoken, those present "almost unanimously decided to place on record its deep sense of gratitude for Mr. Hughes's untiring efforts on behalf of this union and for his services in the cause of Labour generally".⁶¹

All of the foregoing is indicative of the magnetism of Hughes's personality. It also reveals Hughes's own complusion for approval: he seemed not to be able to bear criticism of any of his actions. Not the least of the difficulties of any such union was the problem of book-keeping in financial matters. While the S.W.L.U. was in the process of becoming "ship-shape", to repeat O'Sullivan's metaphor, one of the auditors, Mr. Morrissey, reported to the weekly meeting that the book-keeping system was "rotten", that he could not give a conscientious report as auditor, but that he was prepared to offer his services in straightening the books. This offer was accepted with applause. Then Hughes

spoke very strongly in reply, stating he was responsible for all moneys collected. During the discussion Mr. Turner

60. S.W.L.U. Minutes 18 December 1901

61. Ibid., 23 December 1901

rose to a point of order to which Mr. Hughes would not listen. The chairman not pressing, Mr. Hughes still kept on, remarking that the union was reorganised for the sum of 19/-. The tendency of W.M. Hughes' speech was in dealing with the remarks of the auditor, Mr. Morrissey, remarks upon which he spoke very strongly and pointedly.

Mr. Morrissey replied mildly that he "had not imputed anything wrong to the officers. He was simply stating that the system was loose". The temper of the meeting was to heed Hughes rather than Morrissey. The acceptance of his offer was expunged from the minutes; the auditors were called upon to present their balance sheet at an early date or resign; when it was presented, the decision had to be made to refer it to a professional auditor. Those who wanted to ask Mr. Morrissey to reconsider his resignation were outnumbered.⁶² It is not surprising that difficulties in the book-keeping continued. The 1901 audit was delayed for two months while the S.W.L.U. waited on Hughes, absent from the state, to forward all documents, books and vouchers. When the balance sheet was at last presented there was so much in it open to question that the president Mr. Austin had to be persuaded not

62. Ibid., 28 February - 23 May 1900

to resign. The report was left in abeyance until Hughes could be present.⁶³

The situation was worse in 1902 when it was found that the treasurer had been guilty of defalcation of more than £100. Hughes chided the union and its officers, excluding himself, for their lack of care. He opposed the notion of prosecution which "would advertise it" and he remarked that "he wanted to believe good of all men and did not think the treasurer was a rogue. He disclaimed any responsibility himself because he had not seen or been shown any records or books for 20 months". Not surprisingly, there followed "some acrimonious discussion". The veteran Kelly insisted that all officers were as guilty as Carstairs. Hughes left the meeting, presumably taking umbrage; the assistant secretary resigned, with Kelly being elected to take his place.⁶⁴

Sometimes in Hughes's absence the S.W.L.U. would quietly go ahead and carry out an intention which had been originally delayed by their secretary's opposition. Affiliation with the Sydney Labor Council was one question solved in such a fashion. Another

63. Ibid., 29 October, 20 November 1901

64. Ibid., 29 October 1902

matter, dear to the wharf labourers, was that of burial of the members of the union, as has already been noted. On an occasion when Hughes was absent, while the by-laws of the union were being discussed, Mr. Kelly suggested that the union should devote a sum of money to a burial fund. This would be much better, he declared, than squandering money on barristers and lawyers. There was unanimous approval.⁶⁵ But when this item arose at the following meeting, Hughes, being in attendance, objected. First he said that the Registrar of the Court should be consulted. He would possibly be opposed to the turning of the Society into a benevolent institution. Secondly, it would be better to have sickness and accident provisions than worry about not being buried properly. The employers, he said, should pay half the cost of such insurance and this should be taken up at once. The burial fund was the least serious part of the whole business. Why should the burden of sickness be cast wholly on the shoulders of the members when part should be borne by the employers? Hughes himself would rather have £1 a week for 26 weeks than a guarantee of a decent

65. Ibid., 10 September 1902

burial. The matter was stood over.⁶⁶ Hughes knew the Arbitration law better than he knew his wharf labourers on this occasion. Burial to them was indeed a serious matter and they ultimately got their way.⁶⁷

The subject was returned to on the next occasion on which Hughes was absent. Since the Coal Lumpers had such an arrangement, why not the S.W.L.U? The committee wrote to the Registrar about it, and it was soon found that Hughes had been correct. The Registrar refused to accept any rule about burial. The union objected, the Registrar refused again. After much discussion in many meetings throughout 1903 it was decided, by a ballot of the members, to raise the annual contributions from 10/- to 15/-, the extra 5/- to be used for a combined burial and insurance scheme. The ballot was taken at the end of August 1903. Hughes was still in passive opposition, and using the argument that "times were slack" and that there was difference of opinion on the matter, suggested that nothing should be done, the contributions to remain at 10/-. The scheme was left in abeyance.⁶⁸

66. Ibid., 17 September 1902

67. The burial fund still exists (1972) in the Sydney branch of the W.W.F.

68. S.W.L.U. Minutes 30 December 1903

Finally the union once more separated the burial and insurance questions and, reverting virtually to the system that was in operation in the pre-Hughes, pre-Maritime Strike period, it was decided "that this union bury its deceased members at a sum not exceeding £9 at the request of relatives within 7 days". This was carried unanimously.⁶⁹ The only difference from the 1890 mode of burial payment, apart from the fact that it was not included in the objects of the union, was that the Registrar of Friendly Societies had to be consulted viz.

That upon the receipt of the Registrar's certificate of death of any member of this Society there shall be paid to his widow or child or next of kin or to any person duly nominated by the deceased in writing, and entered in a register kept for that purpose a sum of money in accordance with the terms as laid down in the minutes (£9) always providing that the deceased had been a contributing member for a period of 12 months and financial at the time of death. But should there be no relation or assignee, the Secretary shall see that the deceased is decently interred and all funeral expenses incurred shall be defrayed from funeral donation.⁷⁰

"Burials" having been thus disposed of, the union proceeded to solve the Accident and Sickness Insurance question. In this

69. S.W.L.U. Minutes 20 July, 3 August 1904

70. See S.W.L.U. Rule Book 1890

matter the S.W.L.U. showed a rather surprising degree of resolution, in that it opposed the wishes of both Hughes and the wharf labourers' old friend Archdeacon Langley. A mass meeting decided on a scheme of voluntary contributions which Hughes opposed because he wanted a compulsory scheme; it also decided to allocate £1000 from the union funds to initiate the scheme, and this was opposed by the Archdeacon who, having sought legal advice, was convinced that as a trustee he would be breaching the Trade Union Act in giving his approval. The union changed its rule in the section dealing with its objects and in that which dealt with the application of funds. The new constitution was accepted by the Registrar, the scheme got under way, and while the Archdeacon resigned he remained a friend of the union.⁷¹ The veteran E. Kelly who had first introduced the burial proposal could look back on three years of steady campaigning with satisfaction. The union showed its confidence in him by electing him as president in the 1905 elections, in which he defeated two other candidates.⁷²

In these seven years Hughes's record as a trade union leader

71. Ibid., 2 November 1904 to 29 March 1905

72. Ibid., 5 July 1905

was a remarkable one. The advent of state, then federal arbitration meant a large increase in the number of unions and unionists.⁷³ The S.W.L.U., however, was on firm ground before the New South Wales Arbitration and Conciliation Act was passed and was one of the first unions to receive an award. Hughes was able, in the seven years, to ensure that there were no strikes until the brief and very successful one early in 1907. The gains won from the court and the employers were almost wholly due to the ability and energy of Hughes. No other trade union official could command as much respect as Hughes possessed amongst wharf labourers. There was a personal note in the respect too, as was shown when Hughes's wife died towards the end of 1906. Not only was the union officially represented at the funeral but in addition to having a wreath on the coffin it was decided "to get a brass memorial tablet and place it on an everlasting wreath in the name of the union as a token of respect to Mr. W.M. Hughes" A letter of sympathy "on the loss of his beloved wife" was also sent to their secretary.⁷⁴

73. See footnote 13

74. S.W.L.U. Minutes 5 September 1906

Nor was he the respected leader only of the S.W.L.U. Other workers on the Sydney waterfront looked to him for leadership, viz. the Trolly Draymen and Carters' Union. While it has been shown that the S.W.L.U. was ready for revival in 1899, this does not diminish in any way the achievement of Hughes in putting it on the firm foundation which it gained in the first few years of the new century. The establishment of a federation to cover all the wharf labourers in Australia, achieved in the same period, was due to Hughes and Hughes alone. As President of the Waterside Workers' Federation he also founded and was largely responsible for the journal of the W.W.F.

His achievements outside the industrial area were spectacular. He became a qualified barrister at the end of 1903. By 1904 he was sufficiently recognised as a political leader to be the Minister for External Affairs in the short-lived Watson ministry of that year. Again in 1904 he became Chairman of the Royal Commission on the Navigation Bill, something in which he took a very real interest, both because of his close knowledge of the shipping

Industry

industry and the opportunity afforded to him to introduce his notions about Australia's defence.⁷⁵ His inclusion by Deakin in the Australian delegation to the Navigation Conference in Great Britain may not have been a generally popular decision, but to the S.W.L.U. it seemed a fitting tribute to one who had worked indefatigably for seven years, industrially and politically.

Hughes could be justifiably proud of his achievements in those years, whether in the areas of trade union management, argument with employers, politics, electioneering, study, journalism or debate. The unbounding energy of the man was remarkable. Never robust, his activity seemed unceasing as he travelled continually by train between Melbourne and Sydney and hurried from conferences with employers to grapple with his union members. Always dynamic, filled with self-confidence and a belief in the rightness of his own ideas and actions, W.M. Hughes was a leader of whom the S.W.L.U. was justifiably proud.

75. It was Hughes's suggestion that the proposal to form a Royal Naval Reserve should be included in the Commission's findings and the Act which followed.

CHAPTER FOUR
CONDITIONS OF LIFE AND WORK OF SYDNEY WHARF LABOURERS
1900 UNTIL 1914

When Ramsay McKillop, representing the wharf labourers' union, gave evidence before the Royal Commission on Strikes in Sydney in 1890, his rate of pay and his standard of living differed little, in general, from what they had been over the previous fifteen years in the environs of Sydney's waterfront. The appearance of the wharves was different from that of the 70s.¹ Life otherwise was much the same. By the time Judge Higgins decreed a basic wage of £2.2.0 in 1907 there had been further dramatic changes in the type of ships and the wharves at which they moored. While there had been some improvements in the conditions of work of the wharf labourers loading and discharging the ships, the overall picture of life for a wharf labourer in 1907 was very little different from that of McKillop in 1890.

1. See appendix II

or his counterpart in 1875.

For a brief period before the Maritime Strike of 1890, as has been already described, wharf labourers earned 1/3 per hour, 10/- per day, £2.15.0 per week of 44 hours, with overtime extra. Overall the wages from 1885 to 1905 were 1/- per hour. Those employed in the deep sea trade, where the wages of seamen were lower than those engaged in the Australian trade, were paid somewhat more than the wharf labourers engaged in the latter. In general, however, wages altered little in the 35 years from 1875 to 1910. The cost of living too, with some temporary variations, showed no marked changes. Ramsay McKillop, engaged in the overseas trade stowing wool for part of the year, earned a weekly average of 30/9 for the year. In the four months when the wool trade was "busy" he declared his maximum wage to be £2.12 0 to £2.15.0 per week. There was little overtime except on the largest ships. To speed the loading process some stevedores would employ six men in the hold but others would allow only four to do the work of six in the same time. In the eight months of

the year between wool loading periods McKillop stated that he would sometimes have a very good week and be idle for weeks afterwards, thus explaining the average weekly wage of 30/9. McKillop claimed that his living was very "precarious" under the conditions he described.²

McKillop lived in Sydney with his wife and children, paying 12/- per week for his five-roomed house. House rents, like the cost of all consumer goods showed a continued fall up to 1895. Between the depth of the depression of the nineties and the "recovery" point in 1906 prices of basic commodities did not vary very much. There were seasonal alterations but the McKillop family budget remained fairly constant. Ten years after the 1890 strike beef was still about 4d. per pound, mutton 3d, butter 1ld, tea 1/6, sugar 2 $\frac{1}{4}$ d; eggs were 1/- a dozen, potatoes 20 lbs. for 1/-. And these prices were lower than in 1885. Bread, which showed very little co-ordination with the price of flour, remained at 6d. a loaf. Clothing for the wharf labourer, his wife and children cost the same or less in 1907 as compared with 1885. A Sydney

2. Minutes of evidence of Royal Commission on Strikes 16 December 1890. p.23.

housewife could go to Grace Bros. winter sale to purchase warm clothing for much the same amount as her mother had done 22 years before, or for that matter, her grandmother in the 70s.³

Higgins's Harvester Award decreeing a basic wage of £2.2.0 for the period following 1907 reflected therefore a standard of living for workers which was the norm for labourers on the waterfront. That is not to say that wharf labourers considered themselves well-to-do; nor were they. They could however live respectably if somewhat frugally so long as there were no unforeseen expenses. The wharf labourer himself knew that he would not suffer the indignity of a pauper's burial provided he remained a financial member of the union. He could also expect aid from his union if injured or in some cases of hardship; for example a member whose children had suffered a notifiable disease was instructed by the Health Department to burn all bedding. The union supplied him with the money for new blankets. The usual method adopted by the union to aid members experiencing unexpected financial difficulties was to vote subscription lists: a volunteer from a particular wharf

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3. Comparative prices have been taken from the N.S.W. Statistical Register of 1875 and 1885, Coghlan's figures for 1900 in his Labour and Industry in Australia Vol. 1V; Grace Bros. sale prices from the Daily Telegraph July 1907; other prices from Commonwealth Bureau of Census and Statistics, Labour and Industrial Reports No. 1, 1912.

would collect money on pay-day. If the appeal needed an overall coverage, all wharves would be included. This granting of subscription lists was a fairly regular item on the weekly meeting agenda. Sometimes the case would warrant a benefit night; a smoke social or a moonlight picnic would be arranged. The wives and widows of the members quite often called on the union aid and the requests were never ignored.

In the case of a stoppage of work the union paid strike pay and, when necessary, called on other unions to help. The latter was a mutual arrangement. In one year, 1907, the S.W.L.U. paid out £100 in a number of small donations to other unions in need.⁴ In a big strike, as in the case of the Broken Hill dispute of 1909, the union would call a special meeting and donate sums larger than £25, such as £250 as the first donation to Broken Hill, or in a series of meetings, donate £25 weekly for as long as the money was needed.

The matter of his wages was of overall importance to the wharf labourer. The conditions under which he worked for the shipowners

4. S.W.L.U. Minutes 9 October 1907

were extremely poor. When the Harbour Trust Act of 1900 gave the New South Wales government control over the port of Sydney, the Harbour authority proceeded to make extensive improvements. All the private wharves and properties were resumed and demolished or "cleaned up where they had become insanitary". The private owners were then provided with new wharves and jetties, warehouses and offices which were leased to them at an annual rental somewhat more than the "insignificant" amount they had paid earlier. Howard Smith and Co., for instance, paid £2500 per year on a lease of 21 years, the North Coast Co. the same for 15 years. The Harbour Trust constructed along the foreshores a costly rat-proof sea wall to prevent the entry of plague-bearing rats which more than once had caused plague outbreaks in Sydney before the wall was completed.⁵ While the shipowners resented paying the new charges, they agreed that Sydney was "the best and cheapest port in Australia".⁶

In making its improvements, the Trust catered exclusively for the needs of the shipowners. No provision was made for such elementary things as water taps, latrines, shelter sheds or transport for wharf labourers. The S.W.L.U. had to petition the Trust to get the North Coast Co. to open its latrines for men

5. In 1907 there was a larger number of deaths caused by rat-borne plague than in previous years. The Government Health Board tried to contain areas affected by quarantining wharves, fumigating wharf labourers' dwellings and offering a penny a scalp for each rat caught. Hughes describes the results of such measures in a sardonic story "Plague at six shillings a day" in Crusts and Crusades p. 175. The President of the Health Board, Dr. A. Thompson, criticised the measures as useless so long as the government failed to complete precautions for preventing the entry of the rats - see Daily Telegraph 1 February 1907.

6. Daily Telegraph 2, 4, 7 August 1906

working after 6 p.m. Similar representations were made concerning Messageries Maritimes. The union wanted the Trust to force Mr. Rich of the French company to open the latrines on the wharf for the use of wharf labourers. A deputation went to the Minister of Works for shelter sheds. Representations were made via Mr. Broughton M.L.A. to get drinking taps at Woolloomooloo.⁷ The fine new structures built for the shipowners did not lead to any amelioration for their labourers. Basic safety provisions had to be policed by the union. The Chief Secretary promised a deputation from the S.W.L.U. that he would "give impounding authority to police officers and an inspector concerning faulty gear". The union had to resist Howard Smith and Co's instruction that one man should drive two winches at the same time.⁸

The Harbour Trust gradually brought about some improvements, and government regulations regarding safety and sanitation became more rigorous; but it was not until the second world war that canteens, bath-houses and modern lavatory accommodation were provided. Conditions surrounding the wharf labourers as they

7. S.W.L.U. Minutes 4 September 1901, 18 July 1906, 9 September 1908; and S.W.L.U. Letter Book 24 February 1909

8. S.W.L.U. Minutes 1 October 1902, 9 December 1908

worked in the first decade of the century were uniformly bad. From the reminiscences of those who worked on the Sydney waterfront during that period a clear and unpleasant picture emerges. One remembered walking from Miller's Point to what is now Federal Wharf to take his father's dinner, wrapped up in a red handkerchief. His father was not allowed to sit on the wharf to eat his lunch. He ate it in the gutter outside the wharf, with horse manure blowing about. Another described the method by which the wharf labourers were engaged, a method which remained virtually unchanged until after 1940.

The pick-up was at the wharf gate; if you missed one job you went to another, often to get knocked back there. Pick-ups were sometimes in the rain so you often got sick. I got pneumonia when I was 18. A lot of wharfies who should be here (at the reunion) are in the cemetery, killed by pneumonia and avoidable accidents and overstrain and the owners' neglect. If we were getting wringing wet in the rain, the boss could tell us to keep on working and sack us if we knocked off. But when it suited them they would close the job and we could go home with plenty of water in our pockets but little money. The bull pick-up was chaos. The oil (the news) would be spread there'd be a job at 8 a.m. We'd tell our mates and all go down. Then the oil would be the job wouldn't be till 1 p.m. Then perhaps

it wouldn't be till 6 or perhaps there'd be no job at all. Maybe after waiting round all day and part of the night, we'd get a job to work through for 24 hours - a long time from home and bed and meal table.

One spoke of loading wool while he had rheumatic pains in his joints, "the screws" he called it. He recalled

The toil and the accidents were both heavy. Compo. was paid for only 16 weeks after an accident; then it was cut down, sometimes cut out altogether while a man still could not work.

"There was no transport from the Loo (Woolloomooloo) to Pyrmont and men often had to walk the distance in the rain" said one.

Another spoke of "doing 24 hours straight in the freezer". All agreed on the hardness of the work. As one described it,

We were worn out after a day's work, for 1/- an hour on Sussex Street and 1/3 on the Deep-Sea. There were plenty of accidents, no first aid, no hot water on the wharves. There was 2/- tea money but they might take it back when you were paid. Sackings were ruthless and you couldn't complain.

This man blamed the excessive toil for a stroke, a strained heart and diabetes.⁹

The problem of intermittency in employment which was described by McKillop and the veterans quoted above was one which plagued

9. William ("Donkey") Donaghue, Walter ("Bandy") Urquhart, Edward ("Farmer") Walker and others, at W.W.F. Pioneers' Reunion 9 March 1952, reported in Maritime Worker 22 March 1952.

the wharf labourers until 1914. Intermittency lowered the annual wage average; it was something which could be offset by large overtime earnings, as in the case of those handling wheat at Darling Harbour. In general the penalty rates for special cargoes and for cargoes requiring speedy handling did not apply except in the overseas trade. The biggest and strongest men, the "bulls", were those who could earn the most. Much of the union's internal disciplinary action, as well as its industrial campaigning, had to do with the ensuring of equitable distribution of work. The aim was to safeguard the interests of the less robust section of the membership, though the union barred from membership applicants who seemed unsuitable physically for wharf labouring.

Arguments about bagged cargo and associated rates of payment, together with concern over conditions of work on such cargo, continued until the Commonwealth awards of 1914 and 1915 dealt with the matter. Early in 1911 a dispute developed over the handling of bags of cement in the port of Sydney. On this

occasion the union demand was not for increased pay but for the use of dust-proof bags. The union called medical evidence to prove that cement escaping from the faulty bags used by the Portland Cement Company caused injury to human skin. The cement company wished to use up its supply of old bags before acceding to any request by the union. The dispute dragged on, despite pleas from residents in the neighbourhood of the Portland Cement Company's works for the ban to be lifted, as it was causing unemployment amongst the company's employees. Hughes attempted intercession without success, as did G. Beeby, Minister for Labour. The dispute, which lasted for three months, until early in May, ended only when the Portland Workers' Union sent a deputation to the waterside union. "Their mission was to urge approval of a new dust-proof bag, a sample of which was shown; they also gave an assurance if the bag was accepted they would see that no other class of bag would be used".¹⁰ This was a case in which the union was not willing, for extra pay, to handle a cargo; the demand was for different and less hazardous packaging.

10. S.W.L.U. Minutes 29 March; 5,12,19 April; 3 May 1911

There were other cargoes, frozen goods for example, where an extra few pence per hour were persuasive.

The matter of bagged wheat was more complex, and it became a subject of debate far beyond the waterfront in 1907 and 1908. It deserves attention in some detail, not only because of its wide political ramifications, but also because it illustrates the hardships of life on the waterfront as well as the problems posed for the union in dealing with those hardships. The heaviest cargoes were handled by the biggest and strongest men on the waterfront, the "bulls". Wheat carrying was a task for which the employing agents always chose the "bulls". It was a seasonal summer trade in the main. The railway authorities and the shipping agents were all anxious to get the wheat out of the railway trucks and into the ships' holds with the utmost speed. Any vestige of the eight-hour principle was ignored by employers and workers alike, the latter earning as much as possible while the season lasted. The bags imported into Australia for the wheat farmers' use were of a uniform size, designed to hold a

regulation amount of 240 lbs. The accepted necessity for speed required a labourer to be able to take and stow a bag a minute, that is, 60 bags or 14,400 lbs, per hour. The bag, however, was often much heavier than 240 lbs. The farmer, being charged freight by the railways department not by weight but by number, felt impelled to stuff as much as possible into each bag. The older the bag the more it would stretch. If it did not stretch readily the farmer could, and often did, dampen it. In an eight-hour day, and as shall be seen, the average shift was much longer, one man would lump about fifty tons. Only very strong men could contemplate such work.

Many wheat labourers accepted quite readily the long hours which were the custom on the wheat ships, because long hours meant more money. What they wanted their union to do was to ease their condition by getting a decrease in the size of the bag so that the weight would be less. They also wanted the union to gain a higher rate per hour for them. Their dissatisfaction with the agreement which Hughes negotiated between the

deep-sea owners and the union announced early in January 1906 has already been mentioned. The wheat labourers wanted penalty rates of 1/6 per hour ordinary time and 2/- per hour overtime, and were prepared to strike for those rates. The most important result of a dispute of January 1906 was that the question of the weight of wheat bags was moved into the political sphere.

The weight of the bag had become a matter of primary concern to the union in 1904 when, having decided to press for a bag of 150 lbs., it communicated its decision to the Waterside Workers' Federation. The Federation undertook to try to achieve the reduction by State and Federal legislation. The S.W.L.U. had also wanted a special rate of wages for the wheat-carrying work. The weight of the bag was finally decreased to 200 lbs in May 1908 and the pay question was temporarily settled; the union then immediately turned its attention to the matter of the long hours customarily worked by the "bulls" in the wheat trade and on other cargoes where excessive overtime was habitual. There was much opposition from the "bull" minority, but in the same month in

which the new bag weight was declared, the S.W.L.U. introduced a new rule, viz. that no member of the union should work longer than twenty-four hours without a break of ten consecutive hours. The penalty for breaking the rule would be a fine not exceeding £2.¹¹ This rule was to be the one which was broken more than any other, the Committee of Management of the union reporting findings regularly in the wheat season; on one occasion fifty-six fines were recorded for this one offence at a weekly meeting of the union.¹²

While the imagination may boggle at the 150 tons lumped by a human being in twenty-four hours, one can appreciate the comparative reward of such an effort. A twenty-four hour shift would mean that, at 1/3 per hour ordinary time and 1/9 overtime, the labourer could earn 34/6 (allowing for meal-breaks). If he had been paid the desired rates of 1/6 and 2/- he would have earned £2.0.0, almost the amount paid to a constant hand for a week of forty-four hours, and about the 1907 basic wage of £2.2.0. Days and weeks of such earnings could well mean that

11. Ibid., 20 May 1908

12. Ibid., 12 May 1909. In this instance the maximum penalty was not applied. A fine of 10/- could well mean that the earnings from overtime would outweigh the amount of the fine.

a "bull" had no financial worries between seasons; he could afford to travel away from Sydney to earn big money elsewhere, or if a single man he need not work at all between wheat harvests.

The union opposed the system, not so much on humanitarian grounds - though the risks to health and life were great - but because of the need to get a more equitable distribution of work. While one group had the monopoly of work there was insufficient work for the rest of the members. There was the danger too that if more than twenty-four hours could be cheerfully accepted by the extraordinarily strong man, the employer might expect men possessing normal strength and a desire for a normal home life to work similar hours, thus making a mockery of the principle of "eight hours work, eight hours rest and eight hours play". The twenty-four hour shift was itself a jettisoning of the principle, yet it was to last for many more years, not merely because it suited the employers, but also because it brought large earnings in a short time for some employees. It would be difficult to disprove an assertion that minimum wage rates tend

to be neglected when weekly incomes can readily be increased by overtime work. In 1913 a member of the union, known as a radical, brought forward a proposed alteration to the rules; that no more than two twenty-four hour shifts should be worked in one week. This was defeated overwhelmingly, perhaps partly because the mover was in general unpopular, because his political notions were far less conservative than those of the majority of the members at the time, but mainly because the majority of the union did want a large amount of overtime to be available for those wanting it.¹³ In 1916 the union opposed the introduction of the bulk handling of wheat, for the same pragmatic considerations which activated many waterfront workers in the 1970s regarding bulk loading on a much larger scale through the use of "containerised" cargoes.

The enquiry into the Grain Bag Regulation Bill which took place in Sydney in 1906 must necessarily be seen as a social document exposing a system of brutalised labour practised openly on the docks of Sydney. The "victims" who gave evidence before

13. Ibid., 9 April 1913

the select committee spoke truthfully of their hardships. That the witnesses, with the exception of the union secretary, passed rather lightly over the matter of the twenty-four hour shifts, is just another aspect of a social evil.

The New South Wales parliamentary enquiry into the Grain Bag Regulation Bill had been brought about by W.M. Daley, member for Darling Harbor. He was a Labor member and a lawyer. For a brief period he had undertaken legal work for the S.W.L.U. at a time when the fees for arbitration work charged by the firm of Beeby and Brown seemed excessive.¹⁴ Anxious to help his wharf labourer electors, Daley moved in 1906 the first and second readings of "A bill to regulate the weight of grain and bagged stuffs carried or handled by lumpers and labourers". In September the Bill was referred to a Select Committee for report and consideration and Daley was made Chairman of the committee. It made its report two months later.

The first witness was S.T. Harrison, the Secretary of the S.W.L.U. He gave evidence as follows: he had observed the wheat-

14. Beeby was G.S. Beeby, sometime Labor member; he was Minister for Labour in N.S.W. in 1911.

carrying at Darling Harbor by his members. The wheat was carried from the railway trucks, which had brought it from the country, and stored in sheds prior to being loaded into ships. The distance from the trucks to the shed was 20 - 25 yards. The men carried the bags and stacked them five feet high. A man had to throw the bag off his shoulder on to the stack, placing the bag in the proper position. A number of men, two, three or four, fed the bags from each small stack to an elevator which carried them to the main stack in the shed. "It was perpetual go all the time" said Harrison. After the wheat had been taken to the ship's deck it was sent by a chute to the hold. Two men up-ended the bags and four men on each side carried the bags away and stowed them. Each man carrying had to get the bag slung over his shoulder and away quickly, otherwise the next bag coming down would fall on his back. When stowing the bags, the men would start from the farthest end and work towards the hatch. Sometimes they had to carry 40 - 50 feet.

In 1904, Harrison recalled, prior to a deputation to Mr. Kidd,

Minister for Mines and Regulations, wheat was being loaded into a ship called the Tasmania. Twenty-four bags were taken out of the truck and weighed, and it was found that the average weight was 392 lbs. Some of the bags were really a bag and a half-one bag had been cut into two and each half had been sewn on to another. In other cases the farmer had used coffee bags, which held more than three bushels. The older the bag the better for the farmer, because an old bag would stretch more. A new maize bag would not hold more than 250 lbs.; when used a lot and thrown around it was capable of holding much more.

Just after the wheat dispute the year before (Harrison referred to the January 1906 dispute concerning penalty rates) the men went back and had five trucks in succession of coffee sacks. "You can fill those sacks as slack as you like and they will go over three hundredweight, about seven bags to the ton" said Harrison, who went on

"A man's back is worked up to a certain pitch to carry a certain weight. If he has been carrying bags of 240 lbs. and gets hold of one 40 lbs. heavier it is likely to hurt him. There is no uniformity in the bags. If he has been

carrying bags all the time of 300 lbs. and gets one that weighs 40 lbs. less he'll hurt himself".

The situation at the time of speaking was that the bags averaged nine to the ton and in general each weighed 245 lbs., said Harrison (which was an improvement on the results of the check weighing he had described in 1904).

In answering queries about the temperatures in which the men worked he stated that as most wheat was carried in summer, the holds of the vessels in January, February and March were oppressive. An iron vessel was hotter in summer than in the winter.

Harrison next described the rate at which the men worked. Again he used an example from 1904. On 11 January 1904, 8 men loading wheat on to the Queen Margaret carried 1904 bags between 8 a.m. and noon, 1878 bags between 1 p.m. and 5 p.m., and 1391 bags after tea, from 6 p.m. to 10 p.m., a total of 5065 (sic) bags in 12 hours. The distance each bag was carried was 60 feet. The "slackening off" which brought the average to a mere 53 bags per hour per man was explained by Harrison as being due to the men getting tired.

Another example used was the loading of a French barque La Blanche. The number of bags carried from 8 a.m. to 10.30 a.m. was 1350, which meant that 8 men averaged 67 bags per hour.

The obvious questions to follow from details of such speed and time to carry such weights were: how long could the men last in the occupation, and why would they choose to work such long hours? To the first question Harrison replied that as a rule the men could manage only three seasons. There were difficulties in knowing when and how a man was injured. "We have had men hurt who go on working" said Harrison. "Afterwards they have gone to hospital and died".

As for the hours, the union advocated eight. The employer, said the spokesman of the union, put a gang on and worked it until the men dropped dead if they liked, as long as he could get others to take their places. There was no value placed on the life of a man such as there was on that of a horse.

"You have to pay for a horse, but you can get a man for nothing. And if you did not work when the employer wanted you to work, you would not be wanted for the next ship. Most of the men are married and have families

depending on them so they cannot tell the boss they are tired".

If he were an employer he would consider a fresh gang of men would be better than a tired one, even allowing for the time spent in changing gangs. The larger portion of the union would be satisfied with eight hours. "But work is so casual that I suppose the poor fellows are glad to get as much as they can, even if they have to remain in bed a day or so after".

Harrison admitted however that a certain amount of selfishness was shown by men endowed with superhuman strength or better physique than the average. Such men might say the average bag should weigh 400 lbs. to keep out the men not as strong as themselves.

Asked about the length of time that could be worked at a stretch Harrison answered that his own brother (whose evidence was taken later in the proceedings) had worked midnight Sunday to 10 p.m. Tuesday with breaks only for meals, that is for 46 hours. Such stretches were not frequent, but did occur each season when the captain of a vessel using the same gang was anxious

to get away. Men quite often worked a day and a night, that is for 24 hours. The wheat men believed they should get a special rate for wheat carrying. Only ten per cent, about 300 of the 3000 members of the union, were able to carry wheat under the existing conditions. If the bags were reduced to 200 lbs. about 80 percent could engage in the trade.

Asked about other bagged cargo, Harrison informed the Committee that potatoes averaged only 180 lbs. but were very difficult to carry; blood manure averaged 336 lbs.; the effect of carrying bone dust, which seldom weighed over 224 lbs., was a nauseating one. Harrison himself had carried it and spat blood for 3 days afterwards. As it became very dusty in a confined place, especially when coarse bags were used, the dust got in his lungs. Many of the men who carried the heavy weights had sore backs and sore legs too. Their legs developed varicose veins. Pressed for details about injuries caused by carrying heavy weights, Harrison was cautious, insisting that this was a matter for medical reports. The union's benefit fund, to which

only one-fifth of the membership contributed, paid out on accidents but not on sickness due originally to the effects of heavy carrying. He admitted that there was "a tendency to contract the chest because the bags had to be carried in a stooping position". There were always six or seven wharf labourers in hospital but no records were kept of the reason for hospitalisation. There had been a recent case of a man carrying wheat up planks because of an elevator breaking down; he had ricked his back but continued to work until the end of the week.

Other witnesses spoke of their experiences in wheat carrying. Most complained of injuries to their backs, shoulders and internal organs caused by the heavy weights, the excessive speed and the long hours. Many wheat men had been hospitalised - the doctors said their ribs had overlapped. Over-filled bags were very common and were known as the "bed-bugs". The farmers did not care if the bags burst because they had already been paid for their wheat. Hooks were forbidden but were used "when the boss

was not looking".

When asked why they undertook the work under such conditions, the witnesses spoke of the necessity of getting extra money in the wheat season to tide them and their families over the lean spells of the other months. They did not like the long hours and the exhausting work which ruined their health and made them old before their time. No one dared complain for fear of losing his billet. "There is a lot of surplus labour" said one, "and many a man does things he does not care to do. The owners have to pay demurrage and it doesn't matter about killing a man".

Evidence was called from witnesses other than wharf labourers. One of these witnesses was J.C. Meehan M.L.A. He had gone to the A.U.S.N. Company's wharf at Darling Island the previous Friday. He saw four bags weighed. One weighed 392 lbs., two weighed 395 lbs. each and one he weighed himself was 401 lbs. These bags, he was told, were fairly common. He thought there was more knack needed than strength in carrying the bags. Other witnesses, wharf labourers, weighmen and stevedores also spoke of the large bags.

John Perry, President of the Farmers' and Settlers' Association said, however, that at the last conference of that organisation, held 24 July 1906, fifty delegates unanimously declared "That the conference strongly objects to any alteration in the size of wheat bags".¹⁵

W.M. Daley, when presenting the report of the Committee of Enquiry into the Grain Sacks Regulation Bill, stated

Your committee are of the opinion that a measure of this nature should be introduced and passed into law, as on the evidence adduced your Committee are satisfied that the average weight of bags carried and handled by labourers at Darling Island and elsewhere is about 245 lbs. with numerous abnormal weights recurring during the wheat season...Taking into consideration the rapidity with which the work is carried out, the climatic conditions and the circumstances surrounding this class of labour, your Committee are of the opinion that the work is not only laborious and exacting but where the weight of the bag exceeds 200 lbs. it is detrimental to the health of a large body of men.

It was unfortunate for Sydney wharf labourers and for W.M. Daley that their champion was defeated in the New South Wales elections of 1907. He was involved in another enquiry, this time one which involved misrepresentation on his part in a legal matter. This resulted in his suspension from the legal profession

15. N.S.W. Legislative Assembly Votes and Proceedings Vol. 2
Report of Enquiry into Grain Sacks Regulation Bill pp.59-121

for eighteen months. His opponents in the election of 1907 were John Norton, Independent Labor, and Harry Holland, Socialist. The Socialists were able to make much of Daley's suspension and his "bourgeois boodling", and said nothing against Norton.¹⁶ Votes cast for Holland caused Daley's defeat by Norton.¹⁷

These circumstances notwithstanding, it is rather surprising that wharf labourers and other working class voters in Darling Harbour should have returned Norton. The union expressed its regret at Daley's defeat. It also expressed confidence in its president E. Kelly who, libelled by Norton during an election speech, sued the latter for £1000. Again the Socialist press reviled Kelly, and agreed with "Mr. Norton" that the wharf labourers' president was a "scab".¹⁸ The court found against Norton but awarded Kelly only a farthing damages. Kelly's legal expenses were paid by the union. Norton is now generally recognised as a rogue and certainly not a friend of labour.¹⁹ His behaviour in parliament and the many libel suits brought against him in the early years of this century were reported in

16. International Socialist Review 14 September 1907.

17. Norton received 1666 votes, Daley 1146 and Holland 746.

18. International Socialist Review 21 December 1907

19. See C. Pearl, Wild Men of Sydney London 1958 pp.63-83

the press and would have been known to wharf labourers and other workers in the Sydney electorates. Yet his oratory and his writing, filled with witty quips against "capitalists" and Jews and the "yellow peril" had been popular with working men for twenty years. He had given an encouraging address to Newcastle waterfront workers in 1888.²⁰ His paper Truth had been considered to be one of the two in Sydney which presented the truth about the Maritime Strike in 1890. For a brief period he had edited the Sydney Trades and Labour Council Journal in that year. Kelly was one who denounced Norton as an enemy of Labor. Holland preferred to take Norton's part because Kelly did not get the wharf labourers to strike when Holland wished them to do so on behalf of coal-lumpers; he shared in Norton's accusation that Kelly was a "scab" and that the wharf labourers were "nurturing a viper in their ranks".²¹

Having been elected to the New South Wales parliament for Darling Harbour, Norton did nothing about Daley's proposed Act, and at the State government level the matter was dropped. It

20. Newcastle Morning Herald 21 June 1888 .

21. Daily Telegraph 10, 12 December 1907

was, however, transferred to the Commonwealth sphere when, as a result of the influence of Hughes and the other politicians in the W.W.F's Council of Management, Austin Chapman, a member of Deakin's ministry, became interested.²² Member for Eden-Monaro, he knew the problems of farmers, since he had been saddler, publican and rural business-man. He was also a liberal. As an experienced politician, and with the necessary power as Minister for Trade and Customs, he decided to limit the size of grain bags to 200 lbs. by prohibiting the import of bags of greater capacity.

The change has been resolved on because many of the grain bags in use are too large, and it is considered inhuman to ask men to move heavier bags than will contain 200 lbs. of grain,

he told the House of Representatives towards the end of 1907. He assured the House that the government had no intention of inflicting hardship on the farmers; "the change would be brought about in a business-like and careful way".²³ Opposition came from a number of quarters. Sir John Quick and Sir John Forrest

22. Chapman was in turn Minister for Defence, Postmaster-General, and Minister for Trade and Customs. He had been in politics since 1891, when he was a member of the N.S.W. Legislative Assembly.

23. Commonwealth Parliamentary Debates 1907 pp. 6227, 6228

were both concerned with the constitutional problem of Austin Chapman's promised measure. He assured them that the Customs Act gave him the power to prohibit the importation of bags of a specified size. There was much opposition from those members who reflected the farmers' objections. The proposed alteration, it was said, was causing "a considerable stir in the country. Country newspapers were full of accounts of meetings on the subject". One farmer was reported to have said "Parliament should not consider the stevedores as compared with the farmers and that he wanted if anything a larger bag than the present". The humanitarian approach to the wharf labourers was firmly maintained by Austin Chapman, and he was supported vigorously by a few Labor and Liberal members. J. Mathews, member for Melbourne Ports and an ex-wharf labourer, referred to a paragraph in the Age of 26 March 1908:

Considerable interest was manifested in a load of wheat delivered at the Rainbow railway station on Monday by Mr. N. McKenzie on account of Mr. W. Fuller. Amongst the bags of wheat weighed and taken delivery ...was one which measured 4 ft. 6 ins. in length and turned the scale at 475 lbs. - the largest ever delivered

in Rainbow - exactly 5 lbs. short of 8 bushels. This bag attracted much attention. Another of the bags of wheat weighed 462 lbs. Other bags weighed 410 lbs., 323 lbs., 311 and 310 down to the usual weight.

Mathews wanted Austin Chapman

to draw the attention of the State Premiers to the matter and to ask them if they are fair loads for human beings to carry and what steps they will take to atone for their actions in the past.

On the suggestion of the Hon. A Poynton (Labor, Grey) who was a member of the management committee of the W.W.F. and F. Tudor (Labor), Austin Chapman arranged for three bags of wheat of varying sizes to be on display in the Queen's Hall. Hughes referred to the bags and asked "is it the intention of the Government to give the state premiers an opportunity of distinguishing themselves in re the exhibits...[When will] the premiers of N.S.W., Victoria and other states have the opportunity of carrying these bags up and down Queen's Hall?"

References to the state premiers indicated another area of opposition to Chapman's measure. Chapman had expected Victoria and other states to follow or accompany the Commonwealth action

with parallel legislation. Following representations by the farmers, the premiers decided that their own states' rights were being infringed by the Commonwealth government. On 29 April 1908 the Premiers' Conference decided "That the regulation of the size of cornsacks is primarily a matter of state concern and joint legislation is desirable" and "That the Conference agrees to contribute per capita to the cost of any action it may be thought desirable to institute on the part of any state to test the constitutionality of the Commonwealth proclamation". Chapman's reply to the threat contained in the latter resolution was that he had no fear about the law being on his side and that he did not propose to withdraw the proclamation which would be made on 15 May 1908. As for the former, he was pleased that the premiers had agreed that there should be a reduction in the size of the bags.²⁴

N.S.W. premier Wade said at the Conference

"The section [of the Customs Act] was never intended to give the Minister power of practically as he thought fit, prohibiting by proclamation every single article of commerce that might come within the Commonwealth".

24. Ibid., pp. 6355, 7414 and 7415; (1908) pp. 9767, 10700, 10752-10753, 10787.

It would seem that he and the other state premiers were mainly concerned with their own rights vis-à-vis those of the Commonwealth, and the complaints of the farmers were being used to strengthen their own case. The same could be said of the farmers who evidently considered that their state governments would be more sensitive to pressure than the federal authorities had been. Most wheat farmers were convinced that a change in the size of the bag would cause them ruinous expenditure. The opposition of the farmers in New South Wales had been expressed in the Enquiry into the Grain bags Regulations Bill in 1906. There was little relief felt in New South Wales when the proposed Bill was dropped with Daley's defeat in the 1907 elections, since the rumours of Chapman's proposal followed almost immediately. Their concern was shared at an interstate conference of the Farmers' and Settlers' Association early in 1908, when it was unanimously decided "That this Conference deprecates any interference by the federal government with the standard size of cornsacks" and the same resolution was to be passed, with a decreasing number of adherents,

at ensuing conferences.²⁵ Wheat farmers in all states had pressed those federal members depending on the votes in rural electorates, as was indicated in the Commonwealth Parliamentary debates from November 1907 to May 1908. The journal of the Farmers' and Settlers' Association voiced the wheat farmers' concern. "The motive of the association" said one writer, "is not to tilt at the federal authorities but to safeguard the rights and interests of farmers...The four bushel bag is the most economical for the conveyance of wheat". There was, however, a concern which went beyond the problem of the amount of wheat a farmer could legally put in a bag. As one wheat farmer said

We wish to go one better than Mr. Chapman in his anxiety to assist suffering humanity and we should gladly relieve the wharf labourers from being a beast of burden, and at the same time relieve the farmer from being compelled to adopt an obsolete and ruinously expensive system of placing his produce on the world's market...Any alteration in the handling of wheat should be the introduction of the most modern method viz the elevator system. 26

The larger concern with the matter of bulk handling of wheat was voiced officially by the Farmers' and Settlers' Association in

25. Farmers' and Settlers' Association Annual Reports 1908-1911

26. The Farmer and Settler 16 April 1908

its annual report of 1908.²⁷

The matter did not go to the High Court. A few days before Chapman's proposed proclamation was to be effected, he met the premiers and compromises were made on both sides to preserve the honour and rights of each party.

The Premiers thought the difficulty might be effectively overcome by a [state] railway regulation that would prevent the use of bags containing more than about 200 lbs..... It was pointed out that the proposed lawsuit to test the powers of the Minister would involve heavy expenses without satisfactorily settling the question.

Austin Chapman on his part was prepared to allow a margin of not more than eight to ten pounds either way and suspend the proclamation while the State governments made their arrangements with the railway departments to put prohibitive charges on overweight bags.²⁸

The farmers continued to voice their objection to the Chapman Bag as it became known, saying it would not hold 200 lbs. easily. They had to continue pressing for bulk handling for several years; it was finally introduced during the first world war. It was then the wharf labourers of Sydney who were to object, seeing that the saving in the cost of marketing would accompany a threat to

27. Farmers' and Settlers' Association Annual Report 1908
18 May 1908

28. Daily Telegraph 11 May 1908

their own livelihood. The reduced weight of the wheat bag, which came into use in 1908, could, however, be seen as a victory for the Sydney Wharf Labourers' Union which had first raised the matter with its Federation in January 1904. A further sequel to the "Affair of the Cornsack" was that in the first Federal award for wharf labourers made by Justice Higgins in 1914, all bagged cargo over 200 lbs. was paid for at penalty rates.

Chapman's determination to introduce a measure which would make one aspect of the wharf labourers' toil somewhat more humane was typical of the liberal intentions of most politicians of the period. The liberalism, however advanced for the time, was limited in its scope. Labouring on the waterfront, with few mechanical devices, was accepted as heavy work by those who were prepared to engage in it. But the general environment in which the work was performed was indicative of the general acceptance by owners, politicians and the community, of conditions of labour which can only be described as primitive.

To a large extent the unionists also shared in this acceptance,

bargaining for more money as a reward for working in bad conditions. When jobs were scarce, principles had to be considered in the light of the fear that refusal to work under poor conditions could lead to reprisal by those who were in a position to deprive an objector of further work.

Yet the problem was more complex than the matters involved in simple economic need. When jobs were plentiful the "bulls" could pick and choose, and they tended to choose the jobs where the money was good, even if conditions were poor. As long as the "bull" system was tolerated by the union, those wharf labourers endowed with more-than-average strength and endurance would enjoy a virtual monopoly of that work which paid best, even if performed under brutish conditions. Neither Hughes nor any of the other major wharf labourer unionists of this period tackled the problem in a real way. A few socialist-minded members who voiced objections received scant support. The replacing of the "bull" system by a "rotary gang" system was not to be accomplished until the 1940s., when a determined group of far-sighted unionists was prepared to risk unpopularity to achieve it.

CHAPTER FIVE
FORMATION OF THE WATERSIDE WORKERS' FEDERATION OF AUSTRALIA
1902 AND PROGRESS UNTIL 1914

After the S.W.L.U. had been re-formed, only two years went by before Hughes was able to achieve his other main trade union aim. The Waterside Workers' Federation of Australia was inaugurated in Melbourne in February 1902. The speed with which Hughes was able to bring the Federation into being, and the success of the venture, were due to a complex of related factors, not the least of which were Hughes's own determination and organising prowess.

Circumstances were favourable for Hughes in his federation venture, as they had been when he set out to reestablish the S.W.L.U. All of the major unions of waterside workers had re-emerged solidly after their common difficulties in the 1890s, so there were potential branches of a federation in all states.

The political and industrial environment was favourable to forms of centralised authority. The turn of the century saw the establishment of a Commonwealth Government. Like New South Wales, the other states began taking responsibility for the wharves and establishing government port authorities. Each state introduced some form of arbitration, conciliation or wage-fixing control. With political federation, a commonwealth arbitration procedure was expected by all parties to be introduced at the earliest possible date. Into this structure of centralised authority, the shipowners also fitted. There were state associations of shipowners as well as a federal body with its headquarters in Melbourne. The latter body would register with a commonwealth arbitration court as the state associations had with the state courts.

For Hughes, then, a federation of wharf labourer unions was an integral part of the whole political and industrial organisation of the time. All the pieces could be ranged in their appointed places from bottom to top, and the whole machine could

proceed in an orderly and harmonious manner. His scheme was admirably simple, economical and efficient. The federal parliament met in Melbourne, and labor politicians were available from all states to represent wharf labourer constituents. These politicians would constitute the Council of Management of the Federation. The council would meet while parliament was in session, and between sessions the members could pass on the decisions to the various branches of the Federation. The politicians' possession of gold passes, for free travel on the railways, meant that there were no travelling expenses for the organisation.

The idea of trade union amalgamation or federation was not a new one. It will be recalled that the Sydney Wharf Labourers' Union had formed a federation of wharf labourers in March 1890. Its failure had been due to the difficulties that confronted most unions after the maritime strike of 1890. The seamen's union had been federated since the 1870s. There were federations within state or district, of coal miners, metal miners, shearers and

other country workers. The intercolonial trade union congresses from 1885 had discussed an organisation which would embrace all unions. The Australian Federation of Labour was such a body in intent, though it was successful, for a time, in Queensland only. While the Australian Council of Trade Unions was not established until 1927, the colonial labour councils from their inception in the 19th century encouraged the notion of union amalgamation, vertical and horizontal. The novel factor after the turn of the century in regard to union federation was the impetus given by the expectation of a Commonwealth arbitration court. Just as the advent of the New South Wales Arbitration Court had seen many new unions brought into being, and defunct ones revived, so the parallel Commonwealth structure fostered federations of unions which would cut across state divisions.

Hughes could proceed confidently, assuming that there would be few difficulties to encounter in the formation of a federation which already had union groups in the main ports in all states. He raised the matter officially for the first time with the S.W.L.U.

in May 1901. Having informed his followers that the union was in a very satisfactory condition, he said he had to go to Melbourne for some time, and while there "he proposed to effect a Federation of Waterside Workers all over Australia and wished them (the S.W.L.U.) to give him the necessary authority". The authority was given without question.¹ In the following month he gave the S.W.L.U. an account of his "negotiations for affiliation with the Melbourne Union". No details are recorded of these negotiations but they would have referred to discussions Hughes had with Joe Morris, part-time Secretary of the Port Phillip Stevedores (Wharf Labourers) Union. Six months later, in December, Hughes reported that the Federation was a fait accompli. "He outlined a scheme for Federation among the waterside workers which he had brought to a successful issue and moved that consummation of Federation with them".² The "consummation" referred to the fact that he had gained the co-operation not only of Joe Morris but also of three Labor federal colleagues, Senator de Largie Western Australian, and Messrs.F.W. Bamford (Herbert) and A.Fisher

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1. S.W.L.U. Minutes 1 May 1901
 2. Ibid., 12 June, 18 December 1901

(Wide Bay), both of Queensland. At Parliament House on 7 February 1902 Hughes chaired a meeting of the men mentioned above. He reported that

he had received favourable replies from the following societies willing to join the federation; Sydney Wharf Labourers 2800, Port Pirie 450, Port Phillip 1100. Mr. Bamford reported a total of 'about 720' from Mackay, Townsville, Thursday Island and Cairns; Mr. Fisher reported another 30 from Mackay; Senator de Largie reported 'about 200' from Fremantle and Geraldton wharf lumpers and the Albany Amalgamated Workers' Association.

With these 6,300 'members' of the Federation, Hughes declared the Federal Council of the Waterside Workers' Federation of Australia to be inaugurated. The Council then elected the executive officers, consisting of themselves. The President was Hughes, the Vice-President Bamford, the Treasurer Senator de Largie and the Secretary Joe Morris, he being the only non-politician. In turn the executive briskly became a committee to draft rules and a code for telegraphic purposes. The rules were simple ones: each branch of the Federation should pay 3d. per member per quarter as its dues payment to the Federation. "Branches were to be informed that the Council had been formed

and they should forward any business they wanted done and it would be dealt with".³

More complex rules binding on the branches were to come later, and were almost wholly connected with the keeping of industrial peace within the framework of the arbitration system, and rules laid down in state and federal awards, or the negotiations for the latter. The code for telegraphic purposes was a much more elaborate affair than the earliest rules. A copy of it (undated) in the possession of the W.W.F. indicates that it was to be kept by the branch secretaries "under lock and key and its contents never divulged". Such an elaborate system of code phrases was to be used in the event of communication between the branches and the federation that the sending of a telegram would have been a very onerous undertaking for any secretary in a hurry. The code, it seems, was never used, because it was too involved for anyone save Hughes.

What were the aims of the Federation? Hughes wanted a body which would be strong in numbers and with a central authority which could confer with the central authority

3. W.W.F. Council of Management Minutes 7 February 1902
(A.N.U. Archives) ; henceforth to be designated C.O.M.
Minutes

of the shipowners and the government. Such a body could win improvements in wages and conditions through legal methods, while at the same time preserving industrial harmony. His ideas are most clearly expressed in a statement he made in South Australia just after the W.W.F. was inaugurated. The local paper reported

About a year ago Representative Hughes...took action with a view to the formation of a waterside workers' federation which should be open to all manual labourers connected with the shore side of maritime enterprise in Australia. On Friday last the new federation was inaugurated by a meeting consisting of duly accredited delegates from each of the states representing 8,700 men. The constitution provides for proportional representation...Commenting on the new era which the combination opens to the waterside workers of the Commonwealth, the President Mr. Hughes said today, This is the largest federation of labour, barring the Shearers' Union, in Australia. The movement, while it gives increased power to the men, is one which makes for industrial peace because disputes which were formerly decided locally with a surrounding atmosphere of local bias and prejudice, will now be settled on their merits and often hundreds of miles from the place of origin. Local agents will not have anything to do with the matter beyond referring it to the central body. The council will deal directly with the heads of the various steamship companies throughout Australia. Instead of the federation being in any sense a menace to industrial relations it is in my opinion a guarantee of continued industrial peace. 4

4. S.A. Advertiser 11 February 1902

From this statement it can be seen that Hughes's aims for the W.W.F. were firstly that all the separate associations of wharf labourers, lumpers, working stevedores and the like should be combined in the one powerful organisation, and secondly that this organisation should have centralised authority to deal with industrial matters in a legal way.

The enrolment of all waterside workers into the W.W.F. was a more difficult feat than Hughes had anticipated. The figure of 8,700 quoted by him as the membership in February 1902 is obviously an inflated one. He actually expected that number shortly, since he was optimistic that the 6,300 total of the previous week would be swelled by the membership of Brisbane, Melbourne, Port Adelaide, Newcastle and the remainder of the ports in Queensland, Tasmania and Western Australia. The Port Adelaide wharf labourers did not respond as Hughes had expected, but when the Port Adelaide Working Men's Association finally joined the W.W.F. at the beginning of 1915, there were 32 port branches from the six states, with a membership of between 17,000 and 18,000.⁵

5. Figure quoted by Mr. Justice Higgins, 13 December 1915,
G.A.R. 1916

The Port Adelaide organisation was the only group whose resistance up to 1915 was complete. But the campaign to keep the other major port bodies in the W.W.F. and obedient to its policy was not an easy one in those thirteen years. Melbourne and Fremantle both withdrew for some years. Sydney had to be persuaded by Hughes not to withdraw, and right up to the end of 1913 it showed lack of co-operation with decisions of the C.O.M. Until the W.W.F. was able to negotiate the comprehensive Commonwealth award of 1914, the unions in Sydney, Melbourne, Port Adelaide and Fremantle were not convinced that the Federation could do better for them than they could do for themselves. In general it was the weaker, smaller and isolated ports that welcomed the superior strength and influence of the central union body in bargaining with the shipowners at the latter's top level.

Hughes saw clearly that since the Australian shipping companies operated around the whole coast, and the various unions of wharf labourers were each confined to their individual ports, a federation could aid in the spreading of any benefits gained.

He pointed this out to the S.W.L.U. in the first of the many acts of defiance of that body against the W.W.F.

The (State) Act was no doubt a very good thing but was not a settlement of all human difficulties. If we are going to sit down and rely wholly on the (State) Arbitration Court to adjust our grievances and look after our interests then what is the good of our Union to us, for the Court will do as much for 5, 10 or 50 men as it will for 3,000. If we are relying on the law to enforce rates of wages then according to our agreement the Union was useless. But this was all tommyrot, he said, and every concession wrung from the employers was not through dread of the law but through the stability of our own Union.

Supposing the Court decides to reduce our rate of pay to 9d. an hour, are we going to calmly fold our arms and make no effort to better our conditions? The Court may prevent a strike but through the Waterside Workers' Federation we can incommode the shipping at all the ports along the coast. On the other hand, if we win in the Court, all Australia wins. But if we don't get 1s.3d. an hour in the Court then we may rest assured that, in any action which we may decide upon, we will have the active assistance and co-operation of the other Coastal Unions who will be in a position to inconvenience and harass the shipping at the various ports of call. But to suppose that 3,000 men are going to rely on Judge Cohen giving them 1s.3d. an hour is most astounding. If there is no chance of benefit for us under this Federation there is for the other Unions and consequently we must benefit indirectly. West Australia, he pointed out, although an Arbitration Act was in force there, was the first to join the Federation. He pointed out that the Shipowners were increasing their freights all

round the coast and through this Waterside Federation we will be able, instead of dealing with them singly, to deal with them all over Australia at one and the same time. He finally urged that if we don't win we must sit tight and allow the other unions to try for us. 6

Hughes was referring throughout the speech to the New South Wales Arbitration Act - the Commonwealth Act was still a thing of the future.

In the first few months of the W.W.F.'s formation Hughes set about achieving his aim of having a conference between the central authorities of shipowners and waterside workers' unions. At the monthly meeting of the C.O.M. in August he reported that the Secretary of the Shipowners' Federation of Australia, Mr. McEacheran, was favourable to the idea. The Committee decided to try to arrange a meeting between the two bodies, when the subject would be "a recognition of the branches' increase of wages and the adjustment of such differences that exist in travelling time etc."⁷ There was a delay in the holding of the meeting. The owners' federation was "ready to have a conference and would name a date when certain questions were answered...if

6. S.W.L.U. Minutes 31 March 1902

7. C.O.M. Minutes 1 August 1902

the C.O.M. represented the whole of the Unions and particularly Melbourne....." Hughes answered that "the Melbourne representative was present when the conference was asked for but anyway if any union took any exception to the conference they could stand out of the award". Hughes was also asked if a reduction would be agreed to. He told them

he would not consider a reduction of the present rates for the branches. He did not want any favours from the Australian S.S. Owners' Federation but they would have to recognise that the Federation of which he was the President was a powerful one and if something was not done to better the condition of the members then the position would become very serious for the steamship owners.

Such optimism was very fine but it was unfortunately countered by the representative of the very group to which the owners had referred - Mr. J.B. Tucker M.L.A. and Secretary of the Port Melbourne Wharf Labourers' Union. Hughes had obviously not ascertained the feelings of this group, since Tucker declared that

he did not dare agree to handing over a matter about which his members were quite satisfied in their relations with the S.S. Owners' Federation which had an agreement with them and were quite prepared to work for 1/- an hour and he could not say whether his members were prepared to be represented

at the conference when 1/3 an hour would be asked for.

The other members of the C.O.M. tried to convince Tucker.

Mr. Bamford said that

he had a lively recollection of the meeting at the Gaiety Theatre (Brisbane) when he was explaining the objects of the Federation; when he said that one of the main objects was to get wage increases from 1/- per hour to 1/3 per hour with time and a half for overtime, the majority of the meeting was in favour of joining the Federation for that purpose. For one half of the members to be satisfied with 8/- per day, while the other half earned 12/- to 14/- a day, was absurd.

Senator de Largie pointed out that

the Conference would not necessarily affect a standing agreement with a notice-clause. Fremantle had such an agreement with the S.S. Owners' Federation and they wished to be represented at the Conference. If there were any increase of wages or better conditions his members would be able to receive them.

Tucker said he would put the matter before his members.⁸ The Port Melbourne unionists were not responsive and their attitude was largely responsible for the fact that the projected conference with the owners did not take place. After repeated appeals had been made to the Port Melbourne body, it withdrew from the Federation in 1906.

8. Ibid., 3 September 1902

It was not until 1909, after much effort on the part of Hughes, that a successful conference was arranged between the W.W.F. and the S.S. Owners' Federation. The main feature of the agreement reached on this occasion was, that provided there were no stoppages of work on the part of the unionists, the owners would give preference of employment to them in all ports. The President was congratulated "for bringing such a good agreement into existence thereby doing away with freedom of contract".⁹ This was something of great importance to small ports, particularly in Queensland where in some cases the use of permanent men on infrequent ships made the wharf labourers' livelihood a precarious one. The Federation Secretary visited the Queensland ports to discuss the agreement and on his return reported their very great satisfaction and their promise to carry out the no-strike order to the letter.¹⁰

The agreement of 1909 strengthened the "arbitration" outlook with which the managing council of the W.W.F. had been imbued since its inauguration. In 1905 it had discussed early registration

9. Ibid., 8 July 1909

10. Ibid., 9 September 1909

with the recently-established Federal Arbitration Court, drawn up a code of rules suitable for registration and instructed all its branches to ratify the code so registration could take place. The Sydney branch was the last to conform. The S.W.L.U. had already earned a rebuke from the W.W.F. in 1907 for wishing to act in such a way as would violate the arbitration procedure. A dispute was in existence between the coal lumpers of New South Wales and their employers. The S.W.L.U. sent the following resolution to the W.W.F.:

In the interest of unionism and the business of this port, the dispute between the Coal Lumpers and the Coal Stevedores should be ended as soon as possible. The present position is unsatisfactory as members are working boats coaled by scab labour and rubbing shoulders with scabs and blacklegs. The existence of Coal Lumpers is at stake and a blow could be struck at the existence of kindred unions. If a conference with the employers has not taken place in two weeks this union should reconsider its former attitude.

The union asked the federation to send this resolution, which was carried unanimously, to all affiliated branches. The "former attitude", not to stop work, had been unpopular with the coal

lumpers whose leader H. Holland had "been scandalising the decision all around the place".¹¹ The reply of the federation secretary Morris was read at the next meeting:

I could not think of forwarding these resolutions to all the branches for we are registered under the Federal Arbitration Court and part 2 section 8 reads 'Any organisation of employers or employees who for the purpose of enforcing compliance with the demands of any employees or employers, orders its members to refuse to offer or accept employment shall be deemed to be guilty of a lock-out or strike. Penalty £1000'. You will see by that I cannot carry out the resolution...In conclusion I hope members will consider their position and not do anything which will place them in that position of the other side saying in the future your word is no use and it is of no use to enter into an agreement with you for we cannot rely on your keeping it.

The S.W.L.U. decided "to stand over this correspondence from the W.W.F. indefinitely". But the charge against the society that it was "nothing but blacklegs for refusing to strike in aid of the Coal Lumpers", made by Holland and other members of the International Socialist Society in the Sydney Domain to a very large crowd of people, rankled in the minds of Kelly, the president, and the other members of the S.W.L.U. Kelly raised the matter while welcoming Hughes at a special meeting on his return from England.

11. S.W.L.U. Minutes 12 June, 8 May 1907

Hughes in his speech congratulated the president for carrying out the instruction Hughes had himself given, to prevent a strike until he returned. "To decide upon a strike" he said, "required a plebiscite both of the union and the Federation".¹²

The agreement of 1909 gave some increases in the wage rates at those ports where the hourly rate paid by the inter-state companies was lower than that operating in Sydney. The new hourly rate was to be 1/3 for ordinary time for $8\frac{1}{2}$ hours, and 1/10 $\frac{1}{2}$ overtime, for those working in the interstate trade. 1/10 $\frac{1}{2}$ per hour for overtime meant the conceding by the shipowners of the time and half principle. A higher rate was paid for some special cargoes. The agreement was to last until November 1913.¹³ Sydney still had, however, the anomaly of men on general cargo working for a lower rate on interstate trade than those engaged in the deep-sea trade. Nor were Sydney's overall conditions as good as those operating in Port Adelaide. Any further concessions on the part of the shipowners depended on the strict maintenance of the no strike undertaking by the W.W.F. The C.O.M.,

12. Ibid., 26 June, 3 July, 17 July 1907

13. See Appendix III for other details of this award

always sensitive to any hint of industrial trouble, was doubly so in the case of Sydney; that large organisation with long traditions of militancy could well rock the boat of industrial peace. Their fear was aroused in the Newcastle coal strike in the latter part of 1909. Hughes hastily summoned a special meeting of the Council "because of the danger of Sydney wharf labourers becoming involved. 'It was necessary', he said, 'for the Federation to be up and doing so as to pull our members out of the fire if possible'". A. Poynton (M.H.R., Grey, South Australia) spoke uneasily of the agreement just entered into with the Shipowners' Federation and hoped that nothing would be done to break it. Hughes and Morris were appointed as delegates, with a free hand to act for the best, to the conference of all the unions affected by the strike. All the branches of the Federation were to be sent telegrams asking for their intentions. The answers came back quickly. "The branches were unanimous in favour of leaving the matter in the hands of the Council".¹⁴

But in Sydney the matter did not resolve itself so easily.

14. C.O.M. Minutes 10 and 19 November 1909

The S.W.L.U. donated large sums of money to help the coal miners throughout the strike and after, but many members were anxious to aid the miners by more direct action. Hughes and Morris attended the union meeting of 15 November and persuaded the branch to pass the following resolution: "That this Sydney Branch of the Waterside Federation cease work when ordered to do so by the Council of the Federation". This was a clever resolution and was supported by the majority, defeating those who wanted a decision to cease work the next day.¹⁵ The S.W.L.U. did not cease work. The union observed the defeat of the coal miners, the imprisoning of the miners' leaders under the Wade government's Industrial Disputes Act, the further amendments to the Act which declared illegal any meetings called to aid an illegal strike. Hughes was able to get branch resolutions of support for his policy, first inside, then outside the congress handling the miners' strike; but the union took no action against those members who went on strike unofficially against the handling of "black ships" and in support of those whom the Wade Government caused to be imprisoned. When

15. S.W.L.U. Minutes 15 November 1909

the miners' strike ended there was still much argument about the working of ships that had been coaled by non-unionists. A stopwork meeting was finally called at the end of January 1910. At this meeting, opposition to the policy of the President of the W.W.F. was expressed not only by "wild extremists", as Hughes described those whom he assumed were I.W.W. supporters, but also by president E. Kelly who declared he "would not work with a scab or alongside one". The gathering was a very noisy and disorderly one and ended in uproar when some of the supporters of Hughes called the police in. The opponents of Hughes and W.W.F. policy however had been in the majority, defeating the resolution which Hughes himself had moved in support of the policy adopted towards the miners.¹⁶

As a result of the wharf labourers' unauthorised stoppages, the Sydney employers claimed that the union had broken the existing agreement, and the long process of negotiating a new award began with a wages board, established in 1910. For this the help of Hughes was necessary and differences of opinion had to be put in

16. Daily Telegraph 29 January, 2 and 3 February 1910

the background for the time. The S.W.L.U. unanimously congratulated Hughes on his becoming Commonwealth Attorney-General on 29 April 1910. But it refused to be represented at the eight-hour day banquet because the State Premier Wade, initiator of the Industrial Disputes Act, was invited as a guest. It also continued to make monthly donations of £25 to the families of miners in distressed conditions due to the late strike.

The W.W.F. on its part had to ignore the sins of the S.W.L.U. because it was engaged in 1910 in negotiating for a new agreement with the Ship Owners' Federation for all the branches. Sydney's claim was for 1/6 per hour ordinary time, not only for the deep-sea men but for all members. The Interstate Association would not agree to this and the Sydney men finally accepted, as a pro tem arrangement, the result of the W.W.F. negotiations on their behalf, viz. 1/2 per hour ordinary time and 1/0 overtime. For those in the interstate trade this meant a mere $\frac{1}{2}$ d. improvement in the day rate and 1d. at night.¹⁷ The increase was used however as the basis for discussions with the Australian Ship Owners'

17. S.W.L.U. Minutes 16 November 1910

Federation, held a month after the ratification of the wages section of the Sydney agreement. All the branches had been urged to send in their various demands, and the agreement reached at the end of 1910 was very successful, announced the W.W.F. president. "Not everything asked for had been gained. Nevertheless there were very good increases and conditions for the whole of the branches". Small matters were left over to be arranged between the W.W.F. and the owners' federation. In the meantime all the branches were asked to confirm the agreement so that it could come into force on 16 January 1911.¹⁸ The W.W.F. was so pleased with the results of the conference that it decided to increase the salary of its secretary Joe Morris, and to present to its president Hughes a piece of plate.

The president was a very busy man and yet he had found time in the whole of his busy life to work for the uplifting of the Waterside Workers and making such a success of that organisation.

18. C.O.M. Minutes 23 December 1910

The president replied

It has always been a pleasure to work for the betterment of the conditions of labour, but a bit more so for the waterside workers for they are men who require help. I hope before long we will be able to get the whole of the transport trades into one organisation for it will be necessary in the near future if we wish to retain our position...I will not be satisfied until labour is sufficiently organised to look after itself.¹⁹

Neither Melbourne nor Sydney members were satisfied with the agreement but the optimism of the W.W.F. was well founded since it was steadily advancing towards the goal of a common agreement which would give uniform improvement of wages and conditions to every branch in Australia. Its anxiety to keep the industrial peace, as promised by all the branches as part of the January agreement with the ship owners, can well be understood. While individual branches were still making their own agreements with the employing agents in the various ports, there was always danger that the general agreement, such as it was, could be upset. Sydney caused anxiety when it refused to handle cement in the type of bags it found unsatisfactory. The dispute lasted from February

19. Ibid., 21 February 1911

to June and Hughes was unsuccessful in persuading the Sydney union to return to work until the S.W.L.U. achieved for itself a complete victory in the matter of dust-proof bags. Sydney wharf labourers, with others of the eastern states, became involved in another dispute at the end of May, when they refused to handle "black" sugar from the Queensland cane fields. The strike of sugar workers was organised by the powerful Australian Labour Federation of Queensland. It arranged a conference of interstate transport workers. Marine engineers, seamen, storemen and packers as well as waterside workers were all represented. The conference decided to ban the handling of "black" sugar, a decision which quickly brought the strike to an end in a way favourable to the sugar workers.²⁰ Sydney wharf labourers had been refusing to discharge sugar handled by non-unionists since early in June 1911, and the interstate transport workers' conference, on which Hughes and Morris represented the W.W.F., did not announce the official ban until 12 August. But on this occasion the W.W.F.

20. V.G. Childe, How Labour Governs, Melbourne 1964, p.100

had not rebuked the branch.

In October 1911, however, a special meeting of the C.O.M. had to be summoned because the S.W.L.U. had once more acted unilaterally, endorsing a stoppage of its members. A year earlier, the branch had accepted as an interim measure the small increase accepted by the W.W.F. for the men in the interstate and coastal trade. But the S.W.L.U. had demanded a common rate ever since the deep-sea award of 1902. It had not liked the general agreement signed in January 1911 between the W.W.F. and shipowners, but it waited for the W.W.F. to negotiate new rates for special cargoes, particularly wheat, based on the branch claims for a common rate for all, deep-sea, coastal and interstate. A Sydney meeting received a telegram from Morris on 18 October indicating that the common rate had once more been refused. A demand was made on the interstate wharves the next day for 1/6 per hour for wheat handling. When this was refused the men struck work. On the following day, the C.O.M. at its special meeting decided that Sydney should immediately resume work, since their agreement had

been signed before the decision to cease work in support of wharf labourers.²¹ Another special meeting of the C.O.M. was called. It was agreed that the Sydney Branch had placed the Federation in a serious position by calling out all its members. President Hughes said mail boats could be affected and if that were the case it was difficult to know whether other branches should handle the cargoes. Tucker answered for the Melbourne members, once more affiliated with the W.W.F. He said his branch had already sent a wire to Sydney urging a return to work and informing the S.W.L.U. that it would get no support from Melbourne in the action taken. The C.O.M. decided to despatch a lengthy telegram expressing "very deep regret at the action in calling out members engaged in the deep-sea trade in order to support members engaged in the interstate trade, without consulting Council, against rules of Federation and in violation of the recent agreement". It called on the branch to resume work immediately "upon terms of work honourably entered into and binding upon them and every member of the Federation throughout

21. S.W.L.U. Minutes 24 October, 1 November 1911

Australia". To ensure that there would be no extension of the stoppage the C.O.M. also notified all the branches again by wire:

Council calls upon all branches to continue work under terms of agreement and under no consideration cease work without first consulting council and receiving instructions to do so. 22

Sydney returned to work. It did so not merely because of the severity of the W.W.F.'s instructions but because it was instructed to do so by Justice Higgins of the Commonwealth Arbitration Court. In this sense the S.W.L.U. dispute was a unique one, since it was the occasion of the first action of the court vis-à-vis the W.W.F. Higgins himself intimated to the S.W.L.U. while the Sydney men were still on strike that he hoped they would reach an agreement with their employers about a common wage rate.²³

The six companies of the Commonwealth Steamship Owners' Association²⁴ applied to the court on 20 October 1911 "for a conference for the purpose of preventing a dispute in Sydney spreading to other ports". When the S.W.L.U. decided to

22. C.O.M. Minutes 3 November 1911

23. S.W.L.U. Minutes 1 November 1911

24. Adelaide Steamship Co., Huddart Parker & Co. Pty Ltd., McIlwraith McEachern & Co. Ltd., Australian United Steam Navigation Co. Ltd. and Howard Smith Co.

continue the strike, the court president summoned two representatives each from the Brisbane and Melbourne branches of the union as well as Joe Morris of the W.W.F. The parties agreed to do all in their power to prevent the dispute from spreading beyond the state of New South Wales.²⁵ An obvious similarity existed in the methods which Justice Higgins, as President of the Arbitration Court, and W.M. Hughes, as President of the W.W.F., each saw as necessary for forcing the S.W.L.U. to return to work. The ship owners on their part demanded of the W.W.F. a penalty of £1000 "on account of Sydney Branch going out on strike thus breaking the agreement entered into by the C.O.M. on behalf of the said branch". The President of the W.W.F. insisted that Sydney should pay the whole of the penalty.²⁶

Further Arbitration Court action was taken by the Commonwealth S.S. Owners' Association in the first quarter of 1912. The A.U.S.N. Co. and the Adelaide S.S. Co were embroiled in the general strike called by the Queensland A.L.F. on behalf of the British Tramway Co. Ltd. employees. Sydney wharf labourers would not handle the

25. C.A.R. 20, 30 October 1911

26. C.O.M. Minutes 10 November 1911

"black" ships of the two companies when they arrived in Sydney from Brisbane. Once more the President of the Commonwealth Arbitration Court summoned the W.W.F. to a conference, with representatives of Sydney, Melbourne and Brisbane. When the strike ended in Brisbane, work was resumed in Sydney and the conference was dissolved.²⁷ The W.W.F. was able to proceed peacefully for the rest of 1912, the main task in the second half of the year being the preparation for a conference of all branches at which a new constitution was to be adopted. Branches were asked to discuss this constitution in readiness for the conference, "avoiding anything which would clash with the Arbitration Act".²⁸

The year 1913 saw industrial peace in danger on the waterfronts of Hobart, Melbourne and Sydney. The W.W.F. was able to handle in the court three cases brought against the Tasmanian union by the ship owners. In the port of Melbourne a strike of Fuel and Fodder Union workers was taken over by the Melbourne Trades and Labour Council. More serious for the W.W.F. was the

27. C.A.R. 1912

28. C.O.M. Minutes 27 September 1912

New Zealand shipping strike of the latter part of 1913 in which, once more, Sydney was the port most involved. Anxious to get on with preliminary conferences with the shipowners for the general case for the W.W.F. of 1914, Hughes was determined to prevent the S.W.L.U. from disrupting the harmony with the Australian shipowners. The politicians on the Council may also have had in mind the imminence of the state elections in New South Wales. Polling was to take place there early in December. The Council of the W.W.F. gave its president full authority to manage the situation as he thought best. The method adopted by Hughes was similar to the tactic successfully used to prevent Sydney's participation in the 1909 miners' strike. He called together a conference of transport workers and any others likely to be affected; 200,000 workers were later said by Hughes to have been represented in this conference. With a number of Labor politicians, federal and state, this body assumed control of the strike in Australia and more particularly in New South Wales. Hughes, as president both of the conference and the W.W.F., controlled the proceedings. He had a mandate

from the W.W.F. "that during the industrial dispute in New Zealand no cargo is to be loaded on vessels for N.Z. or unloaded from vessels from N.Z. without authority of the Council". The conference, the S.W.L.U. delegates included, pledged itself to support this policy. But as in 1909 vis-a-vis support of the miners' strike, the policy meant that the associated bodies were in actuality forbidden and prevented from taking any direct action. Hughes proceeded to instruct the S.W.L.U. to supply labour for the N.Z. ships and to discipline those members who refused. As Kelly had done in 1910, the S.W.L.U. president, now Mr. Hillyer, refused to touch "black" cargoes or ask his men to do so. Hughes insisted on his authority both from the W.W.F. and the conference. The latter, he declared, stood not only for "militant unionism" but also for "sane unionism" and was "determined to assist the claims of unionism in this country to be considered". He sternly addressed himself to the members of the Sydney branch of the W.W.F.

I hope that members of the union will not allow unionism in Australia to be shipwrecked - as it most assuredly will - by this handful of irreconcilables, who respect no authority and who, while

talking about the possibilities of industrial organisation, repudiate and defy the principle of solidarity upon which unionism absolutely depends. 29

Lest the opponents of the policy, the "irreconcilables", might persuade the men on the wharves to reverse the uneasy support the S.W.L.U. meeting had offered Hughes, he went himself to supervise the loading of a "black" ship. From then on the S.W.L.U., the seamen and other waterfront unions confined their help to the New Zealand wharf labourers to donations, as in the miners' strike. Hughes received the congratulations of the C.O.M. on his return to Melbourne, and the ending of the strike shortly afterwards dispelled any further danger of its spread to Australian ports.³⁰

The name of Hughes has predominantly figured in these accounts of the containment of waterfront militancy. He was the leader of the W.W.F., a foremost Australian Labor Party politician, and able to sway both the C.O.M. and the majority of the members of the S.W.L.U. with his own charisma. But while there was continuous

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29. Hillyer was indeed one of the "irreconcilables", a member, or ex-member, of the International Socialists.
30. C.O.M. Minutes 19 November; 9, 16 December 1913 and Sydney Morning Herald 6 November to 19 November 1913

opposition in the S.W.L.U. to the policies of the W.W.F. president, the C.O.M. was in unanimous agreement. Until the 1914 federal award and for two years afterwards, it was obsessed with the need for conciliation in order to win gradual reforms for the waterside workers. No branch should take any action that could cause industrial disagreement, either with the ship-owners or the court. Disputes caused by other unions had to be brought under control quickly so that wharf labourers would not be involved. The main branches did not take kindly to the surrendering of their own autonomy in industrial policy making. This was the case particularly in Sydney when members were prepared to sacrifice themselves (and W.W.F. decisions) in support of what they saw as trade union principles.

The C.O.M. was in the main concerned from 1902 to 1914 in working towards the federal agreement of the latter year. It was in many ways a great achievement for the W.W.F. The C.O.M. however in this period was concerned with many other activities

to benefit wharf labourers throughout Australia. The magnitude of the task of drawing the branches into a disciplined organisation can be better appreciated when one notes that Geraldton in Western Australia, and Thursday Island in Queensland, were each well over 2,000 miles from Melbourne; Sydney and Newcastle and the South Australian ports were all about 500 miles from the W.W.F. headquarters. There was always the telegraph, but journeys for representatives of branches coming to Melbourne, or going from Melbourne to the branches, had to be accomplished by train or ship. To visit all the Queensland branches, as Joe Morris did in 1909, was a major undertaking, covering about the distance involved in a trip from London to Mongolia - well over 5,000 miles. It was easier for the C.O.M. to concentrate its work in Melbourne. But at times, increasingly after 1914, the long journeys had to be made. All the branches, down to the very smallest, had their own agreements with the shipowners or their agents, as well as their own rules based largely on the usage of each port. This was a factor putting continuous obstacles in the way of the acceptance

of W.W.F. policy and negotiation, so that branch visits were of vital importance.

Other than the 1914 award, the C.O.M. had its greatest and most lasting success in its scheme of transfers planned in 1902 and adopted, Sydney being the last to fall into line, in 1903. The scheme with little modification has lasted to the present time. Any member wanting to work temporarily or permanently in another port had to take with him a card, signed by the secretary of his original branch, which testified that he was a bona fide, fully financial member of the union. He could then become, without entrance fee, a member of his new branch. The scheme protected the branches against non-unionists. It was a double protection, ensuring that if there was more work in a port than could be handled by the ordinary members of the branch, the union would not have to cope with non-unionists coming from places unknown; and the employers had less excuse to demand an increase in "permanent" men, or to accuse the branch of failing to keep up a sufficient number of "preference" ones.³¹ In general the only

31. C.O.M. Minutes 2 March 1903

resistance to the idea, apart from Sydney's early stubborn slowness of ratification, came from Queensland. Up to the late 1920s there were fears that the seasonal nature of work in the northern ports would mean that they would be flooded with extra labour to the detriment of the original members. These fears were groundless.

Another proposal, dear to the heart of Hughes, put forward in 1902 and carried out in 1903, was for a W.W.F. journal. The waterside workers' Gazette had a chequered career. It appeared at first as a weekly paper, always running at a loss, and appeared monthly, or quarterly in those periods when the C.O.M. was forced to make economies. Sometimes Hughes would be able to pass the responsibility of its production to a paid editor or to another member of the Council. Usually he produced and wrote most of it himself. He believed it was an "invaluable connecting link between the branches".³² Unfortunately there are only six known copies of the journal. These are quarterly issues for 1905 and 1906. Together with reference in Council records up to 1913 to

32. Ibid., 20 October 1904

what should go in the journal, the samples indicate the value of the Gazette as a connecting link between the branches as Hughes saw it. His own ideas were much in evidence. "Big strikes inflict great hardships, so industrial peace is a priceless boon", he declared, while at the same time criticising the way in which the Arbitration Act (in New South Wales) was administered, in "the hostile and unsympathetic judgements of the Appeal Court". The Act, he wrote, was administered and interpreted by "a hostile government and a class biased judiciary". He drew a parallel with the Crimes Act if similarly mishandled. "...if the Crimes Act were administered by the Government and interpreted by a Bench of Criminals, it is hardly possible that it could prove a success".³³ There were numerous lengthy articles about the hardships of the wharf labourer's life, the low average income for irregular work, the evidence supplied for N.S.W. arbitration cases, the witnesses' accounts given before the N.S.W. wheat bags inquiry of 1907. Material of this type, together with accounts of what Hughes had been able to accomplish, particularly for coal lumpers and wharf

33. Waterside Workers Gazette 31 August 1906 (Mitchell Library)

labourers of Sydney, in conferences with the employers or in "tactful advocacy" in the court, would explain much of the readiness of the smaller branches to accept the W.W.F. with Hughes as its president. There was much about the progress of Sydney's wages and conditions, so that other branches could see how, by relying on the W.W.F. policy and action they too could have their standards of wages and conditions improved.³⁴ The journal was used to report the agreements entered into by the W.W.F. with the shipowners between 1909 and 1913 and with the Commonwealth Arbitration Court in 1914. Reports of conferences, directions to the branches concerning C.O.M. instructions, drafts of new codes of rules to be adopted, general information concerning the affairs of the branches or political matters were all printed in the journal. Not only branch officials and meeting attenders, but all members could study for themselves the policy of the W.W.F. and its progress in the ports of Australia. The journal lasted until the 1914 award and the new constitution of the W.W.F. accompanying it had been ratified by all the branches. On Hughes's

34. Ibid., 28 June 1905 to 29 September 1906

recommendation it was then discontinued until further notice.³⁵ No doubt Hughes believed it had fulfilled its purpose. Over twenty years then passed before the Maritime Worker came into existence as the official organ of the W.W.F. This paper appears twice monthly.

Another project during the years 1902 - 1914 was wider organisation on the waterfront. The C.O.M. shared the aim of Hughes for the amalgamation of other unions with the W.W.F. and the creation of a Transport Workers' Federation, and endorsed all their president's plans for the carrying out of these projects. When he went to England early in 1907 Hughes was able to report in the Gazette that he went not only as a parliamentary representative to the Commonwealth Navigation Conference, but also as the President of the W.W.F. with 10,000 members, the General Secretary of the S.W.L.U. with 3,000, the President of the Trolley-men and Carters' Union with 1,250, as well as spokesman for an unspecified number of shop assistants.³⁶

Hughes also commanded the respect of the Coal Lumpers

35. C.O.M. Minutes 8 May 1914

36. W.W. Gazette 16 February 1907

of Sydney, having acted as their advocate in a satisfactory arbitration award in 1905.³⁷ Their membership increased as a result of this award and by 1909 they were easily persuaded by Hughes to apply to join the W.W.F. It was soon found however that the provisions of the Commonwealth Arbitration Act prevented the W.W.F. from accepting them since no affiliates could be exempt from the W.W.F.'s transfer card system. The same obstacle stood in the way of any other group which wished to come under the umbrella of the W.W.F. Hughes had extended his influence over the Trolleyman and Carters and in 1909 he was able to report that a federation of 5,000 Carters and Drivers had come into being with himself as Secretary.³⁸

But if the Arbitration Act prevented the W.W.F. from taking in coal lumpers and carters, there were no difficulties of a legal nature in the way of a Transport Workers' Federation. Hughes had created a Transport Workers' Council, with himself as President, in 1908. The C.O.M. donated £100 to help this body "in the object of getting better conditions for waterside workers".

37. Ibid., 25 November 1905

38. C.O.M. Minutes 7 October, 9 September 1909

This was a Sydney-based body and was merely a coming-together, during a strike of Sydney wharf labourers, of representatives of waterfront unions affected by that strike. After the strike however, the president told the C.O.M. that the next thing was to form a council of the whole of the Transport Workers of Australasia: Officers, Engineers, Seamen, Carters and Drivers and wharf labourers and stevedores. Having made the start in New South Wales Hughes did not think it would be long before it could be extended to the whole of the states and to New Zealand.³⁹ The co-operation of the seamen was a necessary factor if these two major maritime federations were to help each other in any time of mutual trouble. In smaller ports too there were many occasions when masters of ships used sailor labour instead of that of wharf labourers. In spite of the C.O.M.'s efforts, the Seamen's Federation remained unresponsive to the idea of a federation with other maritime unions.

Undeterred, Hughes proceeded to form the organisation at a "conference" at which the Carters' and Drivers' Federation was the only body other than the W.W.F. to be represented. Thus

39. Ibid., 8 April, 8 May 1908

inaugurated, the Transport Workers' Federation President, Hughes, drew up a constitution which was to be submitted to the branches of each of the affiliates for approval and endorsement. Before there was time for any discussion of the new organisation by any branch, the N.S.W. coal miners' strike of 1909 broke out. As president both of the W.W.F. and the newly formed T.W.F., Hughes was able to enlist the aid of Senator Guthrie of the Seamen's Federation in the crisis. Representatives of all transport unions likely to be affected by the miners' strike met with the two major maritime federations and with the coal miners and became the "Congress" which effectively prevented the spread of the strike to the Sydney waterfront.⁴⁰ The hostility aroused in the S.W.L.U. at this time has already been described.

Hughes was able to use the Transport Workers' Federation several times as a means of strike containment. The S.W.L.U. was restrained again during the Brisbane general strike of 1912, though not completely, as has been shown. Again in the New Zealand strike of wharf labourers at the end of 1913, it was

40. Ibid., 7 October; 10, 19 November 1909

a Transport Workers' Federation conference which prevented the S.W.L.U. from refusing to handle "black" ships to and from New Zealand.

It is not surprising then that the S.W.L.U. was the last of the W.W.F. branches to endorse the constitution of the T.W.F. The C.O.M. sent reminders and requests. Hughes arranged for the secretaries of some Queensland branches to add their urgings. But the matter was continuously shelved for three and a half years. At the beginning of 1913 Joe Morris informed the S.W.L.U. that apart from Newcastle and itself, all the branches of the Federation had endorsed the T.W.F. constitution. Finally the W.W.F. secretary had to come to Sydney himself "to explain the matter" and in June the S.W.L.U. conformed.⁴¹ The decision was not a unanimous one and the New Zealand strike occurred less than six months later. The opponents of the T.W.F. could feel some bitter satisfaction that their opposition had been justified.

As an auxiliary arm of the W.W.F. in preventing the spread of strikes or wharf labourer involvement in them, the Transport

41. S.W.L.U. Minutes 4 December 1912, 26 February, 11 May 11 June 1913

Workers' Federation was a great success. But because it was never more than an organisation on paper, and because it did not have any genuine ties with the Seamen's Federation, it was never used in any positive way to improve the conditions of the members of even to generate more mutual understanding between seamen and wharf labourers.

There was nothing bogus about the W.W.F.'s own conferences. Held annually from October 1911, these conferences gathered together representatives from all over Australia. Fares and expenses were paid by the C.O.M. and not every port could be represented. There was however direct contact between the delegates and their C.O.M. The W.W.F. thus became, after 1911, something more to the membership than a small group of politicians surrounding Hughes. The conference of 1913 was significant in that it decided that the W.W.F. should have a full-time secretary-organiser, instead of the part-time services of a secretary; it also decided that the W.W.F. should have its own headquarters so that the C.O.M. would not have to meet in Parliament House or in

hotel rooms as it had been doing since its inception. Rooms were soon rented in William Street, Melbourne, and the C.O.M. met there until the Federation headquarters were removed to Sydney after 1937. Hughes and the other politicians were present for the opening of the 1913 conference but after Hughes had made a long speech, he and his colleagues departed on parliamentary affairs. The 1913 conference was thus almost completely expressive of the views of the delegates from the branches.

As the branches gained confidence in themselves and the W.W.F. they responded to the C.O.M. invitation to send items for discussion. The delegates to the 1913 conference came with firm instructions from their branches as to what should be included in the new W.W.F. agreement with the Commonwealth Ship-owners' Association. Hughes and the other politicians merely put in an appearance at this conference, and left Joe Morris and the branch leaders to hammer out the details of the proposed log of claims. Involved in Commonwealth politics, Hughes could not

attend the 1914 conference; only Senator de Largie, of all the C.O.M. politicians, was present. There was no conference in 1915; the 1916 conference took place without any C.O.M. members except Morris, and it passed a resolution which would exclude politicians thereafter.

Joe Morris was the only wharf labourer in the original C.O.M. and he was the only C.O.M. member to remain after the political turmoil of the 1916 conscription issue resulted in the removal of the politicians from the W.W.F. He was born in Stratford, England, in 1852 and with his parents, while still an infant, came to Melbourne. At the early age of ten years he was working on Port Melbourne pier. He went to Sydney for three years as a stevedore (wharf labourer) and also worked in New South Wales as a shearer. By the time he returned to work on the Melbourne waterfront he had become interested in the principles of unionism. He became the Honorary Secretary of the Port Phillip Stevedores when that body could claim only five members

in 1893. When the W.W.F. was proposed "it was to Joe Morris that W.M. Hughes first turned for aid".⁴² As secretary of the C.O.M. Morris still worked in an honorary capacity, deriving a necessary income from a position as general manager of the Union Club and Hotel in Melbourne. The C.O.M. raised the question of payment for Morris at the end of 1902, when there was a small credit balance shown for the half-year. Morris responded modestly "that he was quite happy but if they insisted on paying him he hoped it would be a group photograph of members of the Council".⁴³ As the W.W.F. finances improved Morris was paid a part-time salary of £1 per week and when he was sent to visit the Queensland branches in 1909 he was given the princely sum of £50 for his travelling expenses. The 1913 annual conference decided that the W.W.F. should have a full-time secretary-organiser with a salary of £260 per annum plus travelling expenses. Joe Morris was, however, defeated in the election by the Brisbane secretary who was a much younger and stronger man and had the support, at that stage, of the numerous Queensland branches. M. McCabe,

42. W.W. Gazette 31 August 1906

43. C.O.M. Minutes 9 October 1902

however, had difficulty with both the Melbourne climate and the housing situation, and resigned almost as soon as elected. Morris, to the relief of the Queensland members, was returned: he held the position until his resignation in 1928. He was then 76 years old.

Morris was 50 when he first became the C.O.M. secretary in 1902, after working as a labourer for 40 years. His health after 1902 was never good. He suffered severe migraine headaches, always made worse when travelling. He made a rueful reference to this malady during a trip he made to the northern branches in 1906.⁴⁴ From then onwards he always carried his medicine with him. He travelled many thousands of miles in the 26 years he held the position of secretary-organiser-advocate. Morris was a "Labor man". He entered politics at the grassroots level when he was elected as a Labor candidate to the Port Melbourne Council in 1907.

He did not, like the politician members of the C.O.M., break with Labor Party tradition and follow Hughes on the conscription issue of 1916. On industrial matters, however, he shared Hughes's

44. W.W. Gazette 29 September 1906

moderate notions. Strikes should be avoided. When they occurred they had to be settled as soon as possible. Like Hughes he believed that the individual branches should not have the power to upset industrial agreements by initiating strikes. Industrial harmony could be best maintained by the C.O.M.'s possession of complete power in matters of industrial policy. Like Hughes, but for somewhat different reasons, he stressed the importance of top-level discussions with the employers to win agreements for better wages and conditions for the wharf labourers. Hughes regarded the Arbitration Court as equal in value to the conciliation process. As a court advocate with legal training he ~~relished~~ a battle in the court as much as he did the debate with the employers in conference. Morris, on the other hand, believed the conference with the employer to be much preferred to the Arbitration Court. "The Court has only been used by Societies that are weak. The Societies strong enough generally fight for their demands" he told the W.W.F. Conference in 1913 when the delegates were discussing the log of claims to be put

forward to the employers in 1914. Morris continually insisted that the claims should not be such as to precipitate the shipowners into referring the matter to the court. The court, he hoped, would be avoided. The "fight" would be with the employers, in conference.⁴⁵

Morris was eclipsed by Hughes. He did not have Hughes's ability to persuade or bully or trick the branches into obeying his wishes. Nor did he possess the personal magnetism that Hughes displayed in his relations with fellow C.O.M. members or the membership of the W.W.F. His own charm, good humour and sympathetic understanding of the problems of the wharf-labouring unionist are revealed in his correspondence with the branches from 1911 onwards.⁴⁶ He was the vital connecting link which remained in the C.O.M. when the whole power structure of the previous 14 years was destroyed in 1916. Without Joe Morris there is doubt that Hughes could have inaugurated or maintained the W.W.F. in the early years. Again, had Morris left with the politicians in 1916 the C.O.M. would have been in an impossibly

45. W.W.F. Annual Conference 1913 p. 15 passim

46. W.W.F. Correspondence to and from branches 1911-1928
(A.N.U. Archives)

difficult position. Not once after his re-election in 1914 was his position opposed. His name is not known as are those of Hughes, J. Healy, and the present secretary C. Fitzgibbon, who are deservedly looked upon as builders of the W.W.F. Joe Morris should be honoured as the pioneer secretary. His record of 66 years as wharf labourer and wharf labourers' union leader has yet to be suitably acknowledged, or exceeded.

CHAPTER SIX
THE BRANCHES IN THE W.W.F.
1902 to 1916

Much has already been written of the history of the S.W.L.U. and of that of the W.W.F. in relation to Sydney. Yet further explanation needs to be made concerning the latter's apparent hostility towards the organisation created by the S.W.L.U.'s own General Secretary, Hughes.

The Sydney union was the one to which Hughes applied for the mandate to proceed with his scheme for federation. When an account was received for the first quarterly payment of dues to the newly constituted C.O.M., the S.W.L.U. was deep in discussion of the rules which it was going to submit to the Arbitration Court as a preliminary to its first award. It decided to "defer the consideration of contributions to the W.W.F. until Mr. Hughes was present".¹ Mr. Hughes was present three weeks later, in a state of undisguised indignation.

1. S.W.L.U. Minutes 5 March 1902

Mr. Hughes said that he was at a loss to know what we did not comprehend in the constitution of the Waterside Workers' Federation. The stages of the negotiation were not hurried and lasted some time and we had therefore ample time at our disposal to express either our disapproval or hesitancy. After having being appointed our agent or mouthpiece in the matter, it was rather painful to him to find that not only were we the only union which had not paid up, but that we were inclined to revoke and repudiate the authority with which we had previously invested him. If we entered into a contract and something afterwards turned up to make it unpayable that was no excuse for our backing out. We had entered into this contract and authorised him to act not as W.M. Hughes - but as the Secretary of the Sydney Wharf Labourers' Union - the most numerous important and influential Waterside Union in Australia.

If we wished at any time to revoke his authority he gave us a chance to do so; but instead we decided otherwise. He sent over rules for acceptance and got a reply that the Union had passed a resolution authorising Mr. Harrison to pay the money, but on the following Wednesday night we rescinded it. Why the resolution was not acted on there and then or the money paid he could not understand. The reason alleged was that Mr. Addison (Registrar, N.S.W. Arbitration Court) could not allow our funds to go outside the State, but he contended that Mr. Addison had nothing more to do with it than Li Hung Chang.

He pointed out the only instance in which the Arbitration Court could intervene was when we transferred our funds to a third party for the purpose of avoiding payment of an award. Referring to the Arbitration Act he said that every man seemed to be permeated with a fear of what the law

was going to do with him and we had blossomed all at once into a very lawabiding community.²

The latter part of this speech has already been quoted in the previous chapter. It showed that Hughes saw the role of the W.W.F. in conciliation with the central body of shipowners as being much more significant than that of the individual branches vis-a-vis employer-agents and state arbitration courts.

The S.W.L.U. had apparently learned not wisely but too well the repeated injunctions of the General Secretary regarding arbitration as it concerned the union in Sydney. Hughes's irritation is understandable. On the other hand it is clear that he had not given sufficient attention to prior explanation of the need for a federation.

The Sydney union had not understood the extent to which it would be financially involved in the "scheme of federation" when Hughes first described it. On the occasion of the above speech, the union decided to pay the levy to the W.W.F. but it paid only £25 when it should have paid £35 for its membership of 3,000 and

2. Ibid., 31 March 1902

in the years following there was continued argument about the payments due. Not until mid-1913 did the S.W.L.U. finally pay for its full membership.

The expense of belonging to the Federation was not the only matter about which the S.W.L.U. jibbed. It was the last affiliated organisation to adopt the federation's transfer card system.³ It was the last to furnish particulars necessary for the Federation to be able to register with the Commonwealth Arbitration Court. It decided not once but several times to withdraw from the W.W.F. Such a step was always prevented by the timely arrival of Hughes. But on one occasion, in 1906, the decision had already been made, and Hughes's oratory had to be reinforced by the discovery of a constitutional technicality on the part of the chairman before the resolution could be considered as having "lapsed".⁴

The many examples of positive resistance or stubborn opposition to the W.W.F.'s decisions, right up to the eve of the first Federal award would seem to be at variance with the loyal obedience the S.W.L.U. usually gave to the suggestions, or orders, of its general

3. Ibid., 6 April 1904

4. Ibid., 28 December 1904, 30 May, 31 October 1906

secretary. There seem to be four main explanations for the attitude of the S.W.L.U. The first lies in Hughes's own style of work. Once he was convinced himself that some line of action was right and necessary, he expected instant agreement and docile obedience from his followers. That he usually got the support he wanted was due partly to the fact that usually his notions seemed eminently sensible; but his personal magnetism played a very important part too. In his absence, doubts checked by his presence could once more be expressed. This was the case with the W.W.F. and the Sydney union body. On a number of occasions Hughes failed to recognise the need for reasoned conviction rather than personal persuasion in the S.W.L.U. The Transport Workers' Federation existed only when Hughes had occasion to use it. Sydney did not adopt its constitution until Morris explained the matter in 1913. The most glaring example of Hughes's running ahead of the understanding of his followers was to come in the conscription clash of 1916. This was to prove fatal for his relations with the S.W.L.U. and the W.W.F. as a whole.

The S.W.L.U.'s delays in making the quarterly payments to the W.W.F. up to June 1913, when it finally paid dues as well as arrears for its 5,000 members, were caused in part by its financial position. The annual shilling per member should not have caused difficulty when the union received ten times that amount in members' subscriptions. Arbitration however was a very costly business for the S.W.L.U. From 1902 onwards the union's lawyers were forever sending in large accounts for payment for services rendered. There was not only the getting of one agreement and the negotiation of the next; there were all the challenges made to the court about the working of the awards. Sometimes it was a matter of the employers being cited by the union, sometimes the union by the employers. There were many cases when the union's lawyers sued the employers on behalf of individual unionists for alleged deficiencies in payments, or for injuries received while working. At times the cases were settled out of court. Usually the lawyers were successful. But even when costs were paid by the employers the lawyers still sent in

their own accounts to the union.

The third reason for the S.W.L.U.'s lack of enthusiasm for the W.W.F. was its own waning satisfaction with arbitration as a means of giving the union value for its money. The W.W.F.'s insistence on a policy of conciliation, first with the shipowners, then with the Commonwealth Court, became less and less congenial to the Sydney Branch. More and more the policies of the militants began to appeal, whether or not these policies were initiated by the I.W.W. Neither the deep-sea nor the interstate and coastal men ever received everything they wanted from the shipowners via Hughes or their other legal representatives. The extra weight of the W.W.F. did not remedy, until 1914, the anomaly of one group receiving less pay than another in the port of Sydney. There were times, as has been shown, when Sydney wharf labourers showed their frustration in strike action about this anomaly. The restraining action of Hughes and the W.W.F. on behalf of the shipowners and court, irked the S.W.L.U. at times in which the very principles of trade unionism seemed to be endangered. Sydney wharf labourers

had long traditions of aiding other unions and other wharf labourers. Aid to the coal-miners in 1909, the Queensland sugar workers in 1911, the Brisbane wharf labourers in 1912, the New Zealand wharf labourers in 1913 accorded with the spontaneous wishes of most Sydney men. The S.W.L.U. expressed its dissatisfaction not only with the W.W.F. but also with Hughes himself, when efforts were made to prevent this aid.

There was a final and overall reason for the S.W.L.U.'s antipathy to the W.W.F. The Sydney body could claim to be the oldest of all the branches in the federation. It was the strongest in numbers and in union organisation. It was the first to receive a satisfactory award, however unsatisfactory that award proved to be for half its members. Other port unions had recognised its seniority, seeking details of its working rules even before the inauguration of the W.W.F. Many of the members had belonged to the union in the days when Sydney itself had formed a federation of wharf labourers, in 1890. Furthermore, as the largest branch, it had to pay the largest amount in dues payment to the W.W.F. It appeared that the W.W.F.

needed the S.W.L.U. more than the S.W.L.U. need the W.W.F. While the award of 1914 and the events of 1916 drew the Sydney section much more closely into the folds of federation, the sense of strength and independence was always to remain.

By the end of 1915 there were three other New South Wales branches in the W.W.F.: Newcastle, Lismore and Port Kembla. The last-named joined with 55 members.⁵ It was to become a very important branch with the growth of the steelworks at Port Kembla after 1927. In 1915 the chief cargo handled was coal, and the reputation of being the most militant branch of the W.W.F. was a thing of the future. Port Kembla itself made the approach to the federation. Lismore was another branch which, because of the unimportance of the port and the lack of a parliamentary representative for the C.O.M., was not courted by Hughes. It was the Sydney body to which Lismore turned for advice and aid in union affairs. "It had Sydney to thank for getting better conditions. It had nothing to thank the Federation for", said a delegate at the 1913 conference.⁶

5. C.O.M. Minutes 21 December 1915

6. W.W.F. Conference Minutes 1913

Newcastle was a more important port, and the Newcastle Wharf Labourers' Union was not an insignificant one, numbering about 400 in 1901. Hughes did not concern himself with ensuring that the Newcastle group should be included amongst the inaugural affiliates of the W.W.F. At this time it was strongly under the influence of the socialist Harry Holland, always a strong critic of Hughes. The C.O.M. was forced to give Newcastle early attention since its dispute in April 1902 could well have involved Hughes's own branch of Sydney. Newcastle affiliated in April after Hughes had brought the dispute under control. It did not remain long in the W.W.F., in spite of the patronage of Hughes's friend David Watkins. Watkins was a Labor M.H.R., representing a coal-mining district. He had at one time been the president of the N.W.L.U. Newcastle rejoined in 1906 and received a visit and advice in that year, not from Hughes, but from Morris.⁷

The N.W.L.U. dated back to 1885. It received aid from the S.W.L.U. in 1888 and 1897 in reviving the union. Newcastle was mainly a coal port until the establishment by the B.H.P. company

7. W.W. Gazette 29 September 1906

of the Newcastle steelworks during World War 1. As a result the amount of work and the wages and hours conditions depended on the coal trade. The union suffered the same doldrums as others in the eastern colonies in the depression of the 1890s. Recovery was aided by the advent of the Boer War; the ending of the war meant a threat to trade, and therefore to conditions of the wharf labourers.⁸ The N.W.L.U. countered the threat by the industrial dispute, already described, which brought the arbitration award of 1/- an hour and preference to unionists. Unfortunately for the future strength of unionism on the Newcastle waterfront, the coal trimmers, labourers handling the coaling of ships, were organised into a separate union somewhat earlier than the wharf labourers. The two unions, the latter comprising more members than the former, shared the same vicissitudes but remained as two different organisations for several decades. Finally the Coal Trimmers' Union merged with the wharf labourers in the one branch of the W.W.F. after coal became of secondary importance compared with the export of steel.

8. Newcastle Morning Herald 6 August 1885, 25 February 1888, October 1897, July 1901, March, April 1902.

Melbourne was a port equal in importance to Sydney, even though not as large in population. The central body of the shipowners, as well as the central offices of the six main interstate companies, operated in Victoria's capital city. The Commonwealth Government, the W.W.F., and the Commonwealth Arbitration Court, made Melbourne the place for their sittings. The port was similar to Sydney in the type of cargo handled from interstate and overseas shipping; Sydney however exceeded Melbourne in volume.

Melbourne wharf labourers, like those in Sydney, began union activity in the 1870s. There were strikes of wharf labourers at Sandridge (Port Philip Bay) and Melbourne in 1873. Both strikes were aimed at gaining the right to be recognised as wharf labourers vis-a-vis the use by shipmasters of sailor labour for discharging cargo. The strikes were successful.⁹ By 1885 there were two distinct wharf labouring unions functioning in Melbourne. One was the union covering those men who worked exclusively on deep-sea cargoes from the overseas ships berthing in Port Philip Bay. This was the Port Philip Stevedores' Union, which claimed that its

9. Coghlan op. cit., p.1473

members required extra strength as well as dexterity and skill to discharge and load deep-sea cargoes on the larger vessels for their long journeys to British or other foreign ports. The other union was the Melbourne Wharf Labourers' Union (M.W.L.U.). This comprised the men who worked cargo in the interstate and coastal trade. The two bodies acted quite separately in negotiations with their employers, and in other activities. In 1885 the M.W.L.U. men were refused the holiday that wharf labourers had been accustomed to enjoy for the eight-hour day celebration. An indignation meeting of the union decided to make demands for improved wages and conditions. Its rules required that three months' notice should be given before any action should be taken to cease work, this being the usual procedure for unions affiliated with the Melbourne Trades Hall Council. A strike began in January 1886. The Trades Hall Council and other unions including the Port Philip Stevedores promised support. The union was successful in its demands for the recognition of the union, as well as in the matters of better wages and conditions. Of greater significance was the

fact that the victory was won through the first conciliation case, with an independent arbitrator, in Victoria or in other colonies. The independent arbitrator was Professor Kernot of the University of Melbourne, the team of negotiators consisting of an equal number chosen by the Employers' Union and the Trades Hall Council.¹⁰

Wage levels gained from this agreement were rather better than those operating in other ports. There was a minimum hourly rate of 1/- on general cargo and an overtime rate of 1/6 per hour for all cargo. The eight-hour principle was specifically recognised. This agreement was the basis upon which all subsequent ones were made between Melbourne shipowners and wharf labourers until superseded by the Commonwealth award. Stimulated by the action of the M.W.L.U., wharf labourers in Geelong sought to join the union. Neither of the two Melbourne groups was encouraging, so they formed their own body, which some thirty years later had revived sufficiently to become the third branch of the W.W.F. in Victoria.

Each of the Melbourne waterfront unions became involved in the maritime strike of 1890. Their activities were similar but

10. See Appendix iv.

since unemployment was worse in Victoria than elsewhere in Australia the Victorian unions suffered even more than in Sydney. When Joe Morris became the secretary of the Stevedores in 1893 only five stalwart unionists remained to keep the society alive. Like the Sydney unionists the Melbourne members suffered the effects of the employment bureaux of the shipowners. Both unions recovered, and in 1902 Joe Morris was able to include 1,100 members of the Port Phillip stevedores at the inaugural meeting of the W.W.F., while the Melbourne Wharf Labourers' Union paid dues for about 400 a few months later.

The existence of two separate unions was an obstacle to unity on the Melbourne waterfront and an impediment to the growth of the W.W.F. The Port Melbourne wharf labourers, though not represented at the initial meeting, were soon included in the W.W.F. when their secretary, J.B. Tucker M.L.A. was persuaded by Hughes and Morris to join the C.O.M. **Tucker**, however, was not able to join with Hughes and the other politicians in their plans for negotiating with the shipowners for a W.W.F. agreement which would

include the Port Melbourne wharf labourers. The latter maintained the agreement that had been made in 1886 and did not want to upset a relationship with the employers which seemed quite satisfactory. When the Melbourne shipowners raised doubts about the proposed conference, their wharf labourers instructed Tucker to inform the C.O.M. that they did not wish to participate.¹¹

Failure to win the support of the Melbourne wharf labourers was one of the factors which prevented the C.O.M. from winning a W.W.F. agreement with the shipowners until 1909. The Melbourne men had withdrawn from the W.W.F. in 1906. They rejoined because their employers were prepared to agree to pay the common wage of 1/3 per hour on condition that an extra half-hour was worked on the Melbourne waterfront. The loss of their eight-hour day displeased the Melbourne wharf labourers and was a matter of complaint against the W.W.F. Their delegates to the 1913 annual conference which drew up the new log of claims were insistent on the return to the eight-hour principle. Unlike the members of the Sydney and Port Phillip Stevedores branches, however, the

11. C.O.M. Minutes 3 September 1902

Melbourne wharf labourers caused the C.O.M. no difficulty during the negotiations with the shipowners in 1914.

Morris was the representative on the C.O.M. of the other Melbourne union, the Port Phillip Stevedores. He retained his position of secretary in the branch while acting as secretary to the C.O.M. As his non-branch activities, already described, increased so did the influence of radical ideas among the stevedores. While Morris preferred direct decision-making with the shipowners to negotiation via the Arbitration Court, he was essentially a moderate Labor man. In 1913 the stevedores elected as president A. Wilson who, as a member of the Industrial Workers of the World body in Melbourne, opposed arbitration on principle and strove for direct action as an alternative. His influence caused Morris and Hughes some serious difficulties early in 1914; when negotiations for the new agreement had reached a delicate stage, the stevedores refused, for a while, to end a ban on overtime. Wilson's influence declined after the award was made, though the Stevedores continued to be a militant group.

Because the two Melbourne branches could be conveniently and economically represented on the C.O.M., they had non-politician delegates at special meetings in 1914 when the agreement was being discussed. Cadden from the Melbourne Wharf Labourers' Union saw eye-to-eye with Morris and Hughes, but while the Stevedores' representative was Wilson the C.O.M. harmony was disturbed. When the Stevedores replaced Wilson with a more amenable representative, the distinction between the two groups of wharf labourers still remained. The W.W.F. conference of 1914 decided that there should be only one branch in each port, but both the Stevedores and the M.W.L.U. resisted this decision. The C.O.M. was unable to change the situation.¹² When Hughes left the W.W.F. in 1916 there were five Victorian groups affiliated; the two Melbourne groups continued to function separately after 1916, with resultant difficulties in the 1917 and 1928 strikes; this situation remained until the 1950s. An indirect consequence of this division was the destruction of the union records in the latter years. The amalgamation of the groups was finally accomplished after many difficulties.¹³

12. C.O.M. Minutes October 1902, August 1907, November 1910, July 1916, March 1917

13. See John Morrison Black Cargo and Other Stories Melbourne 1955

In South Australia, the medium-sized but minor port of Port Pirie added about 400 members to the W.W.F.'s inaugural numbers. Port Augusta with about 100, and Wallaroo with just a handful, were added in 1907 when Alexander Poynton, M.H.R. for Grey, became a member of the C.O.M.¹⁴ The wharf labourers in these ports handled wheat, wool and minerals. In connection with the latter they had fraternal ties with the members of the Amalgamated Miners' Association in the 1880s. The most important port in South Australia was Port Adelaide. Its union of wharf labourers began as the Port Adelaide Working Men's Association (P.A.W.M.A.), and as the future Port Adelaide Branch of the W.W.F., shared with Sydney the record for the oldest and strongest waterfront union in Australia. Hughes was most anxious to have the Port Adelaide body included in the W.W.F. from its beginning. He was confident that it would join since one of the leaders of the association was his friend W.O. Archibald, Labor member for Semaphore in the South Australian government.¹⁵ Hughes took the

14. Poynton was Treasurer in Hughes's National Labor Ministry 14 November 1916 - 17 February 1917

15. Archibald turned to Federal politics and was Minister for Home Affairs in the Fisher Ministry 17 September 1914 to 27 October 1915. He was Minister for Trade and Customs in Hughes's National Labor Ministry.

trouble to make a personal visit to Port Adelaide in the week following the W.W.F.'s inaugural meeting, but did not succeed in enrolling the W.M.A. The C.O.M. made several pleas in the following years but the Port Adelaide society resisted affiliation until after the 1914 award. The reasons for its refusal to join the W.W.F. until the common agreement was ratified are to be seen in the fact that until that time it had no need of the W.W.F. Its wages and conditions were better than those of the Sydney unionists and its union organisation was equal in strength, if not in numbers, to that of Sydney.

The P.A.W.M.A. did not become a branch of the W.W.F. until 1915; its history as a successful independent unit is therefore significant. Unlike any of the other branches, not excluding Sydney, it managed to maintain continuity from the time it was first established in 1872. It had the same consciousness of independence as the S.W.L.U., based on a history of strength in the trade union movement of South Australia. It was formed before the S.A. Labour Council (1884) and before the Maritime Council

(1886), and was the most powerful of all the unions in South Australia before and after the 1890 Maritime Strike. Its early strength, and its ability to survive South Australia's economic difficulties before and after 1890, were due largely to the fact that it maintained a benefit aspect as a major part of its union affairs. It also included the employing stevedores in its benefit membership.

Established 19 August 1872, it had three objects:"to endeavour to obtain for its members a fair day's wage for a fair day's work, and by every reasonable means to assist them in doing so; to maintain order and decorum amongst its members; to raise a fund (the benefit fund) by means of entrance fees, subscriptions and fines". The rule book containing these aims was not published until 1899 but records exist of the association's meetings from 1878 onwards and of benefits paid to dependents of deceased members 1903-1930 and of benefits to accident victims 1902-1910. Rule 14 in the rule book of 1899 shows that the original inclusion of employers was still a practice in that year. "No member shall

employ any person who is not a member...." The moderate nature of the association is indicated in rule 6, dealing with disputes. "That in no case shall all the members be called out from their work unless a majority of two-thirds of the members are favorable. The decision to be by ballot". The accident benefit fund was maintained from 2d. per week out of each member's contribution to the Association. If a member had contributed to the fund for 12 months or more his dependents would receive £50 on his death. If an accident did not result in death, the member received 15/- per week for 26 weeks.¹⁶

By 1887 the wharf labourers of Port Adelaide had built a powerful union organisation in the Working Men's Association. The master of a barque, the Glasgow, complained that the W.M.A. quite frequently used "high handed tyranny" in their dealings with people like himself. He had been forced to pay £5 a month to his seamen before the W.M.A. would handle his cargo. The union made the counter claim that by enforcing the Seamen's Union pay rate it was aiding local ships which had to compete with those

16. P.A.W.M.A. Rule Book 7 August 1899 W.W.F. records A.N.U. Archives

from other parts of the world.¹⁷ Certainly the "local" ship-owners' attitude to the W.M.A. was a conciliatory one. When men discharging coal complained that the baskets were heavier than had been agreed, and threatened to strike, the employers pleaded ignorance and hastened to change the offending baskets.¹⁸ Some non-association men were employed on the lighters of the Steamtug Company and as soon as the Association complained, the secretary of the company instructed the non-unionists "to join at once. He did not in any way wish to act contrary to the rules of the Association". The union allowed no permanent employees to remain outside their ranks. They instructed the employers "to compel their workers to join the Association, otherwise members would not work for them". The employers complied, one company even thanking the Association for bringing the matter to its notice, as it had not been aware that its foremen had been employing non-association men. It had given strict orders that association men were always to receive preference.¹⁹

In 1887 the South Australian employers established their

17. S.A. Advertiser 4 August 1887

18. Ibid., 20 August 1887

19. Ibid., 27 September, 4 October 1887

Association²⁰ and engaged in a dispute with ships' officers concerning the latter's affiliation with the Maritime Labour Council. Wharf labourers became involved in sympathy with the officers. Though only a local affair the dispute was a forerunner of the maritime strike of 1890. On the former occasion, however, no reprisals were taken by the shipowners against labour unions on the waterfront.²¹

Their good relations with the shipowners together with economic revival after 1887 helped Port Adelaide wharf labourers to maintain their wage rates and to gain improvements in their working hours. In winter only 7 hours were worked each day and in summer 8 hours, at 10/- a day throughout. These were much better hours and wages than existed in Sydney and the other major ports, as was shown during the interstate conference of port unions organised by the S.W.L.U. early in 1890.²² The Adelaide Steamship Company shared in the general economic prosperity of the state and was actually in advance of other Australian shipping companies in 1890. It was able to declare a 7 per cent dividend in that

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- 20. W.E. Murphy, History of the Eight Hours Movement, Almanac of Events Vol. 1
 - 21. S.A. Advertiser 8 to 10 October 1887
 - 22. Sydney Morning Herald 31 March 1890

year.²³ Relations between the shipowners and the wharf labourers of Port Adelaide were amicable, any differences being resolved by a joint board of conciliation established after the 1887 strike. This harmony was disturbed by the advent of the maritime strike of 1890.

As in Sydney, the Port Adelaide wharf labourers became involved not in a disagreement of their own with their employers but on a matter of principle concerning trade unionism in general. The events leading up to the 1890 strike in South Australia were similar to those of 1887, and the strike which followed bore many similarities to those in Sydney and Melbourne. Wharf labourers played a key role. Their attempts to prevent the loading of "black" ships were at first successful and peaceful. As more non-unionists arrived there was some violence. The ships were loaded with the protection of the police. The shipowners established an employment bureau where non-unionists ate and slept during the strike and for some time after it had ended. The strike in South

23. S.A. Advertiser 30 July 1890

Australia ended as elsewhere in failure for the officers and the return to the ships and wharves of all maritime workers in November.

What marked off the Port Adelaide section of the 1890 maritime strike from those in Sydney and Melbourne was the fact that the wharf labourers' union body in Port Adelaide suffered little as a result of the strike. The Sydney organisation could not get past the shipowners' employment bureau which gave preference to non-unionists for most of the decade. As has been recounted, unionism was kept alive on the Sydney waterfront by a handful of dedicated and experienced unionists; the union itself went almost completely out of existence until its recovery with the aid of Hughes in 1899. Port Adelaide's experience, at the conclusion of the strike, was quite different, the hostility between wharf labourers and shipowners lasting for only a short time. Wharf labourers in the eastern ports felt a natural, long-lasting resentment that in the strike they had had ranged against them not only the shipowners, but also the government, the police, the

press and the public. This was not the case with the P.A.W.M.A.

While the officers in Port Adelaide sought in vain for a conference with the owners, the wharf labourers were able to settle down to pre-strike conditions, enrolling any ex-blackleg permanent men in their own ranks, continuing the strong benefit side of the organisation. Port Adelaide, like other ports, saw a reduction in trade in the 1890s. Wharf labourers suffered unemployment. Those who were employed benefited from the low prices of the period. The unemployed could and did take part in the village settlement co-operative scheme organised with some success by South Australian trade unions and aided by the Kingston government. The goldfields of Western Australia also attracted migrants, wharf labourers from Port Adelaide being in a better situation to make the journey than their fellows in the eastern ports.²⁴

The W.M.A. was able to weather the difficulties of the decade prior to the formation of the W.W.F. in a way that was not possible for the other wharf labouring unions. Nor was the

24. T. Coghlan op.cit., p.2068

Port Adelaide association without the union-political links of Sydney and Melbourne. The president during the strike was Ivor McGillivray who was later elected to Parliament for Labor. Retaining his interest in the W.M.A., he remained in the leadership as a trustee of the union. Another trustee was W.O. Archibald, for many years member of parliament representing the port electorate of Semaphore. These political links aided the W.M.A. in friendly dealings with shipowners throughout the decade, well before W.M. Hughes took active interest in the S.W.L.U. During 1903 negotiations took place between union, shipowners and politicians. In 1904 an agreement was signed which was more favourable than Sydney's 1902 award, particularly in that the wage rates were the same for coastal and deep-sea workers. South Australian ports operated in general on a daily rather than an hourly rate.

Men working on general cargo in overseas vessels received 10/- per day if they worked 10 a.m. to 4 p.m. Those working 8 a.m. to 6 p.m. received 12/6. On Saturday the hours were 8 a.m. to

12 noon, the payment for which was $1/3$ per hour. Wheat carriers received $1/6$ per hour and $2/6$ per hour overtime, and the wheat had to be delivered from the sheds to within 25 feet of the gangway before being carried by the wheat men. The wages and conditions described above were all better than those operating in Sydney. Men "stiffening" or topping up full cargoes of wheat or flour on sailing ships, when the work was less arduous, were paid 10d. per ton with overtime at only 1/- per hour. On the interstate side the hours were longer: 6 a.m. to 6 p.m. on weekdays and 6 a.m. to 1 p.m. on Saturdays. This meant a working week of 56 hours, when the 8 a.m. to 9 a.m. and 1 p.m. to 2 p.m. daily breaks were subtracted; but the rate was $1/3$ per hour, 8d. per half-hour, with overtime at 2/- per hour. For cool-chamber work the rate was $1/6$ per hour, 9d. per half-hour, with $2/6$ per hour overtime, and the men were supplied with suitable clothing before entering the cool chamber. Daytime smoke-oh breaks depended on the option of the employer but there were two in the

night time stipulated in the agreement. In both overseas and interstate trades provision was made for short employment. If a man was not employed for 2 hours he had to be paid a minimum of 3/- in the former and 2/6 in the latter. If a man was ordered to work at Port Adelaide and not required he had to be paid 2/- per hour and nothing less than 2/-. Men so ordered to Semaphore, which required longer travelling time, were to be paid 2/6. For outport work, a condition not relevant to Sydney, men were to be paid from the time of departure from Port Adelaide 12/6 per day, provisions included, and on Saturdays 12/6, provisions extra. Men working on wrecks were paid 2/6 per hour overtime with 3/- per hour on Sundays.²⁵

The agreement was to last for two years from 1 February 1904. A comparison with the Sydney awards of this period and the 1911 agreement negotiated by the W.W.F. with the shipowners indicates that the Port Adelaide men were in a far better situation vis-a-vis the shipowners, the efforts of Hughes and the W.W.F. notwithstanding. The success of the W.M.A. in its relations with its employers, its

25. Rules of P.A.W.M.A. 1905. W.W.F. papers, A.N.U. Archives

benefit scheme, its ability to include permanent men in its own ranks, all gave the association a sense of independence which kept it aloof from the W.W.F. Hughes's statement in 1902 that "local agents would not have anything to do with the matter [the settling of disputes with the shipowners] beyond referring it to the central body" could not have found favour with an organisation of the W.M.A.'s superior strength and experience. It was not until the 1914 federal award that the W.W.F. could prove that its participants would receive benefits in excess of those that the W.M.A. had enjoyed, and the Port Adelaide body at last decided to affiliate.²⁶

The Port Pirie and Port Augusta Working Men's Associations had experiences similar to those of the P.A.W.M.A. during and after the maritime strike. Since their numbers were so much smaller than those in the main port, they did need the protection of the larger organisation of the W.W.F. to help in their negotiations with shipowners. Wallaroo was even smaller. The three minor ports did not have friendly relations with Port Adelaide

26. W.W.F. Correspondence with Branches W.O. Archibald to W.M. Hughes 23 February 1914. A.N.U. Archives

after the W.W.F. was formed. When news that the Port Adelaide association was about to join the W.W.F. reached Wallaroo the secretary wrote to J. Morris in some alarm. The Wallaroo men did not want to belong to the same organisation as the P.A.W.M.A. since the latter had broken faith in an earlier dispute over superphosphate payments. Morris replied immediately

Of course they broke faith with you and if they were outside the Federation they would do so again, but being inside, any instructions given by the W.W.F. would have to be carried out by all. If we had had the Port Adelaide branch in at the time of the dispute they would have acted otherwise. 27

Morris's comment was a profound one, as future relations between the W.W.F. and the South Australian branches were to prove.

Queensland, the eastern Australian state with the longest coastline, has more ports than any other state. Most of these ports are in the tropical zone. When the W.W.F. was formed in 1902 there were vigorous union groups of wharf labourers in nine of these ports, and eight of these affiliated with the federation during the first few months. In addition to having the greatest

27. Ibid., J. Morris to Wallaroo 25 March 1915

number of branches in the W.W.F., Queensland was the state which provided the greatest number of politician members of its Council of Management. There were four such federal politicians. Two of them, Andrew Fisher (Wide Bay) and F.W. Bamford (Herbert) were present at the inaugural meeting. Senator W.G. Higgs came on to the C.O.M. at its second meeting during the following month. Senator Turley was added in 1906. Their presence in the leadership of the W.W.F. from 1902 to 1916 helped Hughes build the kind of organisation he had aimed for, and encouraged the affiliation of Queensland wharf labourers.

Fisher's name was to lend much glory to the W.W.F. He had a working class background and has been described as the great radical of the Labor Party. He had been a coal miner in Scotland, like his father and grandfather before him, experiencing hard work, long hours and low pay while still a child, and becoming an active unionist leader as a young man. After emigrating from Scotland he worked as a coal miner in Queensland not far from the port of

Maryborough. He became an official of the Amalgamated Miners' Association, and entered the Queensland government as a Labor representative for Gympie in 1893. When he entered federal politics it was as the Labor member for Wide Bay which, like Gympie, included the port of Maryborough. At the Labor Party conference of 1905 he supported the Queensland motion favouring "the collective ownership of the means of production, distribution and exchange". In the same year he defeated Hughes by one vote for the deputy-leadership of the Labor Party. He became leader in 1907, and was Prime Minister of Australia in 1908, 1910 and 1914. He resigned to become Australian High Commissioner in London in 1915.²⁸ He remained on the C.O.M. of the Waterside Workers' Federation from 1902 until his retirement from politics, thereby placing the W.W.F. in the unique position of having two Prime Ministers in its leadership in its first fourteen years.

Fisher's political position did not prevent him from remaining in the W.W.F.; although he took no active part in the meetings of the C.O.M. after 1910 he retained his position as

28. D. Whittington, Twelfth Man Brisbane 1972 pp. 31-39

trustee and was still the representative of the Gladstone and Maryborough branches of the W.W.F. until 1915. Nor did his background of coal-mining unionism, his association with wharf labourers and his socialist principles prevent him from sharing Hughes's ideas concerning the methods by which industrial peace should be maintained.²⁹ His part in attracting Queensland water-side unionists to the W.W.F. up to 1915 cannot be denied. His political prestige also aided the W.W.F. vis-à-vis the shipowners in those years.

The same conclusion could be reached concerning F.W. Bamford's position on the C.O.M. He lacked Fisher's trade union connections, having worked as an inspector of railway construction in Northern Queensland and later establishing himself as a publican in the port of Bowen. In this town he became an alderman and mayor, but was not successful in the state elections of 1896 and 1899. The political activities that recommended him to wharf labourers were in his helpful association with the formation of Democratic Leagues, Labor Party groups, in Bowen and Ayr, and his advocacy of the White

29. C.O.M. Minutes 10 November 1909, 20 July 1915

Australia policy in the first federal elections. The latter policy was popular amongst wharf labourers in the seat of Herbert which returned Bamford. It included the sugar ports from Mackay northwards.³⁰ Bamford was a valuable asset for Hughes in the adding of branches to the W.W.F., since he was largely responsible for enrolling all the branches in Queensland other than Maryborough and Gladstone. Like Fisher he supported Hughes strongly on the C.O.M. He was vice-president from 1902. He left with Hughes over the conscription issue in 1916 and was rewarded by being made Minister for Home Affairs in Hughes's National Labor ministry of 14th. November 1916 to 17 February 1917. He then became a back bencher, retaining the Herbert seat until he retired in 1925, having attracted little attention inside or outside the House.

The first Queensland branches to be enrolled by Bamford at the inaugural meeting of the W.W.F. were Mackay, Townsville, Cairns and Thursday Island off the northern point of Queensland. Fisher brought in Maryborough.

Neither Higgs nor Turley took as much part on the C.O.M. as

30. G.C. Bolton, A Thousand Miles Away, Brisbane 1963, p.248

Bamford and Fisher. Higgs was a journalist and had been one of the editors of the Worker before entering Queensland politics as member for Fortitude Valley in 1899. He entered federal politics in 1901 and was a member of the Senate until 1907. He then became M.H.R. for Capricorn, which he represented until 1922. Hughes chose him as Treasurer both in 1915 and 1916. He resigned his portfolio in the conscription issue, but was expelled from the Labor Party over a disagreement in 1920; he remained in politics as a Nationalist. His contribution to the C.O.M. until 1906 was in aiding Hughes with the production of the W.W.F. journal.

Henry Turley, amongst all the politicians on the C.O.M., had the distinction of having worked as a wharf labourer, in Brisbane. He had been elected for Labor in 1893 to the Queensland parliament for the seat of South Brisbane. He became a member of the Federal Senate in 1904 and the President of the Senate in 1910. He attended meetings of the C.O.M. from 1907 to 1912. Like the other politicians, Turley supported Hughes's ideas of law and order for the W.W.F., though he opposed conscription in

1916 and in other ways reminded electors of his labour origins.³¹

By 1902 Brisbane, Rockhampton and Bundaberg had been added. In 1913 the Queensland membership was close to 3,000. Brisbane had 1,200 members, and, going northwards, there were Maryborough with 65, Bundaberg 65, Rockhampton 330, Mackay 240, Bowen 70, Townsville 540, Cairns 220, Port Douglas 7, Innisfail 12, Thursday Island 20. Cooktown, which had stood out in 1902, Gladstone and Lucinda Point were added in 1915, making fourteen branches in all.³²

The history of the branch in Brisbane prior to the formation of the W.W.F. was much the same as that of Sydney, though the northern port was much smaller and less important than either Sydney or Melbourne. As in other ports Brisbane wharf labourers began union organisation in the 1870s, linking their demand for better conditions of work with the eight-hour day movement. The campaign for an eight-hour day was promoted vigorously in Brisbane from 1872. The extreme heat of the summer months aided the movement, and by 1876 all employers except the government and the

31. "In 1910, Labour Senator Turley, the ex-waterside worker, made a disdainful gesture against the trappings and traditions of the Old World by appearing as President of the Senate at the ceremony of the opening of the federal Parliament in ordinary dress without the traditional wig and gown and knee breeches, to the horror and indignation of many of those present. The Worker published a full-page cartoon, 'Away with the Baubles', expressing appreciation of Senator Turley's action" quoted by B.J. Guyatt in Prelude to Power, The Rise of the Labour Party in Queensland 1885-1915 Eds. Murphy, Joyce, Hughes; Brisbane, 1970, pp. 257, 258

32. C.O.M. Minutes 7 February, 4 April, 9 June 1909; 9 October 1913; 20 July 1915

shipowners had conceded an eight-hour day. The wharf labourers formed a union in 1876, and, failing to win agreement by conference, went on strike for the reduced hours. The strike was only partly successful, since in return for an eight-hour day they had to accept a reduction in wages. Whereas they had been paid 7/6 for nine hours, they now worked eight-hours for 7/-.

In 1878 the union joined the southern ports in the dispute against the use of Chinese seamen on coastal ships. From then on, in the periods between unemployment caused mainly by drought, the union continued to campaign for union recognition and for better wages. By 1887 wharf labourers were receiving 1/- per hour but had gone back to working 10 hours a day before receiving overtime rates. The union joined the Brisbane Labour Council after its establishment in 1885 and was one of the group which helped form the Australian Federation of Labour in 1889. The secretary of the union was W. Mabbott, who became a trustee of the Worker, founded in 1889. In that year Brisbane wharf labourers sent £150 to the London dockers to aid their strike, and according to Lane this sum was the first to be received by the London strikers.³³ The Brisbane wharf labourers were represented at the Sydney

33. The Boomerang September 1889

Conference of 1890 which established the Australian Federation of Waterside Workers, and throughout the 1890s called themselves the Queensland Branch of the Associated Waterside Union of Australia.³⁴

In May 1890 the Brisbane and Rockhampton wharf labourers were involved in the campaign of the shearers for the closed shop. They held up "black" wool from Jondaryn.³⁵ Then in August they joined the Maritime Strike when called upon to do so by the A.L.F., as did the workers at six other Queensland ports - Maryborough, Rockhampton, Mackay, Townsville, Cairns and Cooktown. The ship-owners found difficulty at first in finding men to take their places, since unionism was strong in town and country in Queensland. But as elsewhere there were those unemployed who could not resist the inducements offered by the shipowners. There was bitter resistance on the part of the unionists of all ports, with a certain amount of violence as police moved in to protect the black-legs. The strike ended in Queensland earlier than in the other states, the A.L.F. ordering a return to work on 29 October, by

34. Membership card for Brisbane 31 December 1894, W.W.F. Records W.W.F. offices, Sydney.

35. W.G. Spence, Australia's Awakening, Sydney, 1909, p. 177

which date many unionists had already returned to work. On the Brisbane waterfront this meant working with non-unionists. Just as in Sydney, as reported in the Royal Commission after the strike, the A.U.S.N. Co. found itself in dispute with the non-unionists employed during the strike. They themselves went on strike when the Company attempted to lower the amount of 2/- per hour overtime, paid during the maritime strike, to 1/6.³⁶

Queensland maritime unionism was not crushed by the defeat of the maritime strike as it was in the other eastern states of Australia. Wharf labourers in Brisbane and Rockhampton were still in a position to give support to the shearers in their two other attempts to force the pastoralists to give preference to unionist shearers, in 1891 and 1894.³⁷ The Brisbane unionists had as secretary-organiser in these years E.Y. Lowry. Formerly a seaman, he had become a wharf labourer in North Queensland and helped organise wharf labourer organisation in Townsville and Mackay in 1887. He had as well travelled widely throughout North Queensland promoting the labour movement and the eight-hour day.³⁸ As a

36. Coughlin, op.cit., p. 1602

37. W.G. Spence op. cit., pp.104 passim, and B. Fitzpatrick, A Short History of the Australian Labor Movement Melbourne 1965 pp. 124 passim

38. G.C. Bolton op. cit., p.190

staunch A.F.L. supporter and an experienced organiser he helped keep radical unionism alive on the Brisbane waterfront. Members still paid 12/- per year in subscriptions up to the end of 1894;³⁹ but as in Sydney and Melbourne, the union almost ceased to function until the beginning of economic recovery in 1897.

The most outstanding feature of the Queensland wharf labouring unionism was its existence in so many centres. No other state had as many branches affiliated to the W.W.F. in 1902. Of importance in the development of the ports beyond Brisbane, and of significance in the spread of waterfront unionism, were Queensland's gold discoveries. "The ports of Rockhampton, Townsville, Cairns and Cooktown were made or magnified by mining fields".⁴⁰ Brisbane and other ports also benefited.

Another Queensland product of importance to its export trade, and ~~therefore to~~ wharf labourers, was sugar. It was a seasonal crop providing wharf labourers with overtime payments when the crop was good. The use of cheap coloured labour, then the introduction of central sugar mills in the 1890s, followed by

39. W.W.F. Papers. Receipt for Charles Melloy, 31 December 1894.

40. G. Blainey, The Rush That Never Ended, Melbourne, 1963, p.87

the Commonwealth government bounty, ensured the stability of the industry. Mackay was the chief sugar port in Bamford's electorate of Herbert. Other tropical products handled by the wharf labourers included bananas, pineapples and cotton. The export trade in bananas developed in 1885, with the largest amount being handled at the port of Cairns.

All the ports to a lesser or greater extent were entry ports for mails, food, building materials and all the other necessities for the population of the ports and the interior of Queensland. All had shared in the urban building boom of the 1880s. Even in the small port at Thursday Island, which might expect only one ship in a week, there had to be wharf labourers on hand to unload and get the ship away.

The greatest development of union organisation in the ports of Northern Queensland took place between 1887 and 1889. It was aided by the unionism of miners in the gold towns, particularly Charters Towers. In North Queensland radical leaders of gold

mining towns recruited miners, then maritime workers, into the A.F.L. Miners and maritime workers in their turn recruited bush workers. Very much a Queensland body, the A.F.L. helped maritime unionism to survive the difficulties after 1894.

As soon as they were formed, wharf labourers' unions in Mackay, Townsville, then Cooktown and Cairns, began to harass Burns Philp⁴¹ with strikes against the employment of non-unionists.⁴² After Burns Philp and McIlwraith McEachern together had ousted one rival they established the A.U.S.N. Co. The wharf labourers of Queensland were perpetually in conflict with the agents of this company before and after the birth of the W.W.F. The great heat and the uncertainty of the regularity of work were each sufficient to discourage large numbers from choosing the occupation of wharf labouring. These difficulties and others fell heavily on the wharf labourers themselves. In Bowen and Townsville, in between the incoming tides, there was a large expanse of ooze between jetty and ship. Ships had to come in and out and all cargo handled very quickly, or the labourers and the goods were

41. The Burns Philp shipping company, formed in 1875, was one which traded not only along the Australian coast, but also between Australia and New Guinea and Fiji. It built headquarters at Townsville thereby adding to the importance of that port. In 1886 it combined with Gilchrist Watt & Co., of the British-India line, and with the Australian firm of McIlwraith McEachern, to organise the Queensland Steamship Company. In the name of this newly-formed company, the combination was able to wrest trade from the Australian Steamship Company which had previously held a monopoly of North Queensland trade. The Queensland Steamship Company then became the Australian United Steam Navigation Company with a virtual monopoly of the Coastal trade of Queensland.

42. G.C. Bolton, 'Labour Comes to Charters Towers', Labour History, January 1962, pp. 25-34

ferried by lighters. In the first case only the strongest could cope with the heavy fast work in the heat; sometimes the work was done at night, for which the unionists demanded, not always successfully, overtime rates. When they went out to the ship in a lighter they demanded, again not always successfully, that they should be paid for their travelling time. In Maryborough ships going into Hervey Bay had often to wait for a night tide before returning to port, in which case members could be "stuck in the river" for six hours after their work was finished, without food or extra payment, before they could be returned to the wharf. Where the port was a small one and the ship had little cargo other than mail, the shipmaster would be anxious to leave the wharf as soon as possible, and often used sailor labour rather than calling for wharf labourers. The problem of sailor labour lasted until the 1914 award was made.

Some of the difficulties could be turned to advantage by the union in each port. When a shipmaster was anxious to catch the tide and the number of wharf labourers was few, the unionists could

make a bargain with the agent for the "rate for the job". Sometimes a ship could arrive only at night or on a Sunday, and wishing to leave the next morning, the shipmaster would have to pay special rates. Arbitration Judge Higgins remarked ironically when fixing holiday and Sunday rates in the 1915 award, "It would seem that the waterside workers have succeeded in investing the Sabbath and the most sacred days of Christendom with more sanctity than any other union which has come before me."⁴³

The A.U.S.N. Co. cared above all for its own profit-making. Questioned before a Royal Commission in 1889, it could make few suggestions as to improvements in its handling of Queensland's perishable cargoes. Bananas rotted in badly-ventilated and humid holds, and on arrival at Melbourne were often fit only for the manure depot. On one notorious occasion Melbourne wharf labourers had to use pumps to remove the remnants of a shipment of Cairns bananas.⁴⁴ That Chinese growers had exported the crop could have had something to do with the Company's carelessness. The fact was,

43. C.A.R. 13 December 1915 p. 199

44. C.G. Bolton op.cit., p. 225

however, that the further the port was removed from the Melbourne headquarters of the A.U.S.N. Company, the more difficult were the company's agents vis-a-vis cargoes and the men who handled them. Before the advent of the W.W.F. the wharf labourers made what agreements they could with the agents.

The greatest difficulty in the smaller ports was in winning recognition for the union. When they became part of the W.W.F. the men in these ports were able to make use of the direct negotiations between the C.O.M. and the Commonwealth Steamship Owners' Association in Melbourne. The North Queensland branches were amongst the first to forward grievances to the C.O.M. for redress. Before the end of 1902 for example, the Thursday Island Branch complained that an agent for Burns Philp had made a constant hand erroneously sign a pay sheet as having received 1/6 per hour. The same branch complained of a Chinese shipping company which refused to pay unionists their money "because a bag of rice fell overboard through the carelessness of the crew of the steamer".⁴⁵

Queensland's isolation, the influence of Bamford and Fisher,

45. C.O.M. Minutes 9 October 1902

and the years of A.F.L. leadership, all helped to put the idea of the W.W.F. in a favourable light in the eyes of the Queensland wharf labourers. With a radical background of republicanism and separatism, urban workers of Queensland swung to support of federation in the political sphere. The vote for federation and White Australia was particularly high in the ports north of Brisbane.⁴⁶

The Brisbane branch, stronger in numbers and traditions than the others in Queensland, and less under the influence of Fisher and Bamford, was slower to join the W.W.F.; it still retained its loyalty towards the A.L.F. When this body renewed its activity in 1910 the Brisbane union wrote to the C.O.M. asking for advice on whether it should remain in the W.W.F. or join the A.F.L. Bamford seconded a resolution that the secretary should write to Brisbane,

informing them they can join the A.F.L. if they choose but so far as the Queensland branches are concerned the Federation (W.W.F.) has done more for them than any other branches and they owe allegiance to the W.W.F. To talk about a larger federation will not alter the fact we have been in existence for a number of years and we have not succeeded in getting all the waterside workers in, and if the members of the branch think they can do better by leaving us then we say they are

46. G.C. Bolton, op. cit., p. 210

at liberty to do so but they must not expect us to help them in any way in the future. 47

Thus chided, Brisbane remained in the fold, and the men were rewarded in that the 1909 agreement of the W.W.F. with their shipowners raised their wages from $1/1\frac{1}{2}$ to $1/3$ per hour ordinary time, and from $1/8$ to $1/10\frac{1}{2}$ per hour overtime. The agreement was adopted unanimously by the Brisbane branch, as by other Queensland branches, although the customary finishing time of 5 p.m. in Brisbane was changed to 5.30 p.m.⁴⁸

Once in the W.W.F. all of the Queensland branches remained affiliated, loyally carrying out the decisions of the W.W.F., though not always without argument from the ports in Northern Queensland. The suspicion concerning the transfer scheme has already been mentioned, and this and other problems were solved by the close attention of secretary Morris, both in an extensive correspondence and in more than one visit.⁴⁹

The Brisbane secretary, M. McCabe, briefly held the position of General Secretary of the W.W.F. in 1913. Of much more significance

47. C.O.M. Minutes 13 September 1910

48. W.W.F. Papers January 1910

49. W.W.F. Correspondence with Branches 1911-1927

was the only other Queenslander to seek the office of General Secretary - J. Healy, who as a wharf labourer from Mackay, gained the leadership of the W.W.F. in 1937 and held it until his death in 1961, twenty four years later.⁵⁰ His charisma was greater than that of any other Communist trade union official during the war and post-war periods. His popularity amongst the membership of the W.W.F. was extraordinary; this fact, together with his political affiliations would help to account for the hatred that Hughes showed for him.⁵¹ Wharf labourers have a reverence for Healy, as a man and a leader, which had never been given to Hughes, however remarkable his personal magnetism had been. Healy was cordially disliked and respected by shipowners and employers generally. On Healy's death the Queensland wharf labourers voted overwhelmingly for the present General Secretary Mr. C. Fitzgibbon a Newcastle branch leader and a member of the Labor Party, thereby indicating a predilection for the leader rather than the political party, although their radicalism has never been in doubt since the inception of maritime unionism in Queensland.

50. Healy succeeded Arthur Turley who, after being secretary of the Port Pirie Branch, became General Secretary of the W.W.F. on the retirement of J. Morris. A. Turley relinquished his position only after discrepancies in the financial statement of 1937 had been revealed by the C.O.M. He had no connection with Senator Turley of Queensland.

51. C.P.D. 1951 pp. 287, 816, 1056

The western third of the continent, Western Australia, is the largest Australian state, with the smallest population of any mainland state. With a coastline longer than that of Queensland, it had, by 1902, almost the same number of ports, but there was union organisation of wharf labourers in only four of them. Senator de Largie promised 700 members for the W.W.F. at its inaugural meeting, from Fremantle, Geraldton and Albany but only Geraldton, the smallest of the three, actually joined in 1902. Albany was willing but unable, Fremantle was able but unwilling. It was not until 1913 that the affiliation of the four groups was stabilised, with Fremantle paying dues for 500, Bunbury 120, Geraldton 75 and Albany with its membership by then decreased to 60.⁵²

Wharf labourers were known as "lumpers" in Western Australia. They were amongst the first to form unions in the western colony but unionism did not develop there until the second half of the 1880s. This fact was due partly to the small population; at the end of June 1889 it was only 42,775, a number somewhat less, as it has been remarked, than could be expected at a city Grand Final

52. W.W.F. Conference October 1913

league football match in 1968.⁵³ Western Australia's isolation and its labour shortages brought about another major obstacle to the formation of trade unions - the introduction of convictism after it had ended in the other states. From 1850 the transport system was used to solve labour shortages and develop Western Australia's economy, and while transportation was ended by Britain in 1868 the last of the convicts did not become free men until 1901.

In the main, convicts were used by the government on road and building construction, or were allotted to free settlers as farm labourers. They helped to boost the economy by enlarging the demand for foodstuffs and the other commodities, either produced in the colony or imported from the other states or from Britain, which were needed for the prisoners or their keepers.⁵⁴

The greatest fillip to the economy came from the discovery of gold in the decade after 1885, when there was a surge of prosperity in trade, commerce and industry. Wharf labourers handled six times the amount of cargo previously imported, three times the exports, in this period.⁵⁵ Not all these increases came from the discovery

53. The Fremantle Watersider 1967-1968 (Journal of the Fremantle Branch of the W.W.F.) p. 9

54. F.K. Crowley, Australia's Western Third, London 1960 pp.32-38

55. Ibid., p. 82

of gold. Sandalwood, timber, horses, pearl shell, copper, lead and wool had all been exported previously. In the 1870s the export of timber increased and after 1880 there was a rise in the amount of wool produced and sent to external markets. The beef industry of the north expanded after 1890 and there were good "seasons" for pearl-shell in the early 1890s. The gold discoveries, however, greatly benefited those ports through which the hordes of seekers made their entry to the colony.

By the end of the century, Esperance on the southern coast became a busy port for the gold industry immigrants and for the needs of the goldfields at Norseman, and, further north, the eastern fields of Kalgoorlie, Boulder and Coolgardie. Albany, Busselton and Bunbury, the southern ports, were handling fruit, eggs, potatoes, dairy produce, timber and sandalwood for export, while participating in the import trade necessary for the increased population. Bunbury was aided by the discovery of coal nearby in 1896. Geraldton, north of Perth, was the busiest wool port, and from here was also shipped away lead and copper. Broome was the

pearl-shell centre. Derby was the chief port for the export of the Kimberley's cattle and beef - with Broome and Wyndham, the most northerly port, also sharing in the cattle trade.

Fremantle, the port for the capital city Perth, the centre of commerce, government and railway lines, was the port which received the greatest benefits from the growth of trade and the gold discoveries. Until the 1890s Fremantle had been second in importance as a port to Albany. Large ships preferred Albany since it was closer to the eastern states and the London trade, and less dangerous to shipping. The journey to Fremantle meant the rounding of the hazardous Cape Leeuwin, the south-west corner of the continent. Fremantle itself was a poor harbour barred by shoals and a great bar of rock. Long-delayed improvements to the port were commenced in 1892, and ten years later the shipping tonnage at Fremantle was well past the point ever reached in Albany.⁵⁶

The first Western Australian trade unions came into being before the imported trade unionism of the gold rushes. The skilled workers in the building industry, the carpenters and joiners, were

56. Ibid., p. 130

first, in 1884. In the five years afterwards they were followed by unskilled building workers, railway workers and others. Printers formed a Typographical Society early in 1887; this was the first Western Australian union about which any clear information is available. Its aim was the "social, moral and intellectual improvement of its members". Five shillings entrance fee was paid, and 6d per week in subscriptions. The first annual report, 14 February 1888, showed that some members had soon resigned because there were no benefit provisions in the rules; there were, however, 20 out of the 52 compositors of Perth enrolled in the union.⁵⁷

Wharf labourers at Fremantle displayed militancy for a long period before forming a union. There were a number of strikes, two occurring in one week in September 1885. Early in 1889 careful preparations to form a Lumpers' Union got under way. Delegates from the Working Men's Association of Port Adelaide came to help the Fremantle labourers, who were also aided by a businessman and an accountant. Aims and rules were drawn up in a circular for distribution before the inaugural meeting, and were received not

57. H.G. Gibbney, Working Class Organisation in Western Australia from 1880 to 1902. Unpublished B.A. thesis in Battye Library Archives W.A. p.8

only by the workers on the waterfront but by their employers also. The general objects and aims of the projected society seemed mild enough to appeal to any employer, as was noted in the daily press.

We reproduce from a copy of a circular issued by the promoters under date June 26th. the following: The object of this Society shall be to counteract influences that may be working against its members' interest, to initiate reforms, to enable members to fill their positions with profit and credit to themselves and advantage to their employers, and while doing this, members must bear in mind that the Union is not formed in antagonism to their employers. On the contrary, they are to show by their ability, and strict attention to work, that their being members of this Society is a guarantee to employers of labour, on or about the wharves of Fremantle, they are consulting their own interests by employing them. By adhering to these objects, individual selfishness and disloyalty will to one and another and to their common interests, be greatly obviated, and the Society may hope to prosper in harmony and concord with all parties concerned. 58

The working rules, however, indicated a more practical appeal to unionists. No members were to work with non-unionists. Wages were to be 1/- per hour for an eight-hour day, with overtime rates of 1/6 per hour for those working on the wharves and 1/3 per hour ordinary time, 2/- overtime for those who worked on lighters or were taken by lighters to vessels unable to get to the jetty.

The union also wanted two paid smoking periods of a quarter-hour each during the day. A total of 136 members joined the Lumpers' Union when it was inaugurated on 4 July 1889, one week after the circular was distributed. The president was A.J. Diamond, manager of the Fremantle firm of Tolley and Co. The accountant for the same firm, W.H. Clifford, was elected secretary. Two wharf labourers, H. Bates and J. Scott, became vice-president and treasurer respectively, and there were two other wharf labourers as committee-men.⁵⁹

The Commissioner of Railways and the Collector of Customs, who had received copies of the proposed rules of the union in the general distribution, both wrote in alarm to the Colonial Secretary's office. Said the Commissioner

This is a commencement of the Trade Union business that has done so much harm in Sydney and the Colonies generally and it should just now in my opinion be put down or discountenanced in the strongest manner as it must result in damage to the community to the advantage of a few designing agitators.

And the Collector of Customs wrote

Of course such a combination cannot be recognised in any way by the Government and any of the Wharfingers joining

59. Ibid., 8 July 1889

the society would be dismissed. With firmness after a little time I do not think there will be any difficulty in obtaining extra labour on the jetties when required.

Governor Broome replied with somewhat less panic but an equal abhorrence

I doubt if it would be expedient for the Government to positively prohibit on pain of dismissal, any person from joining this 'Union' but the Government can make it clear that they do not at present in any way what-ever intend to recognise the 'Union' or to make any alteration in their rates of wages or rules of work simply because the 'Union' wishes it. If men find the terms of Government employment at variance with the rules of a 'Union' they may have joined, it will be for themselves to choose which master they will have.⁶⁰

Broome's attitude was to be shared by the government and employers of W.A. for the next decade. The agents for the Adelaide Steamship Company, since 1882 the main shipping company operating in W.A., were no exception, although in Port Adelaide, as has already been noted, the company's relation with the unionists was a very cordial one. There was a local company, the W.A. Steam Navigation Company, and several groups of agents operating on behalf of overseas companies - P. & O, Orient, Blue Funnel and others. The

60. Battye Library Archives, W.A., quoted in The Fremantle Watersider 1966-1967 pp.15-16

government too was a large employer of waterfront labour. All the employers' agents were, with the government, too close to the days of convict society to accept unionism on the waterfront of Fremantle. Conservative and cautious, the government did not, like those of the other colonies, pass acts to legalise trade unions. It was not until 1898 that very limited rights were given by the Premier John Forrest.⁶¹

As soon as the lumpers formed their union they asked the employers' agents to meet them in conference concerning the rules. The request was refused, the agents not recognising the union. On their part the unionists began to carry out their rule not to work with non-unionists, and within two days of the union's formation the men struck work. The employers began hastily to organise extra non-union labour. One employer brought an action against one of the strikers, Charles McKinnon, for a breach of the Masters and Servants Act, in having refused to obey the lawful commands of his master, C.H. Hammond of the firm of Symon, Hammond and Hubble. The legal representative of this company said that

61. Forrest also showed goodwill to unionists by donating a block of ground in West Perth as a site for a Trades Hall. As with his Act, the position was not quite what the unionists needed. The intention, however, was genuine in both cases.

the defendant being willing to admit the charge, his clients were unwilling to press it. They want it understood that they would not take any notice of Trades Union rules. The only law they would recognise was the Masters and Servants Act. 62

A fine of 1/- and 4/6 costs was "inflicted". Meanwhile, however, the Adelaide Steamship Company's local manager, who had forwarded a copy of the union's circular and rules to the Adelaide office, received telegraphed advice favourable to the union:

Inform Lumpers' Union this company concedes their right to form association and heartily accepts the objects of association set forth in circular but association should not forget that mutuality is necessary in any bargain. 63

Encouraged by this recognition by its chief employer, the Lumpers' Union continued to operate, though not immediately gaining the wages and conditions requested. Lumpers co-operated with other unionists in re-forming the eight-hour day association in 1889. Understandably, when the union's youth and isolation are considered, the watersiders took no part in the Maritime Strike of 1890. Again, in 1891, when at the instigation of building workers, a Trades and Labour Council was formed in Perth, the

62. West Australian 8 July 1889

63. Ibid., 9 July 1889

lumpers took no part, since they had become otherwise influenced in the following way: their businessman-president had been succeeded by a radical journalist called Rowe, from Rockingham. With a group of liberal-minded business and professional men, Rowe planned to launch a labour journal, The People, with the motto: "The Welfare of the People is the Highest Law". Union officials were to be the directors of the company issuing the journal weekly. The scheme failed since there was an insufficient market amongst unionists in Perth and Fremantle. Rowe blamed the trade union leaders, and his bitterness was shared by the lumpers. The Journal and the Labour Council both failed early in 1892, though the latter was soon re-formed.⁶⁴

Whereas wharf labour unionism in the eastern colonies, particularly in Sydney, reached its lowest ebb after 1895, the Fremantle Lumpers' Union was able to thrive. The port was congested, the labourers in demand. Taking advantage of these conditions the Lumpers' Union struck work in 1896 and increased their wages from 1/- per hour to 1/3 for ordinary time and 2/- overtime. They

64. H.J. Gibbney op. cit., pp. 16, 17

were more successful than building workers whose demands for wage increases were defeated by the employers' introduction of non-unionists from South Australia and the other eastern states.⁶⁵

While the boom in gold continued, the labour force became overcrowded with the continuing influx of migrants from the eastern colonies. The year 1898 saw quite severe unemployment in Perth and Fremantle, and the shipping companies decided to take advantage of this situation. The Adelaide Steamship Co. posted a notice on 16 February 1899 which virtually declared war on the Lumpers' Union. It announced its determination to resume freedom of contract; hours were to be 6 a.m. to 6 p.m. Holidays were to be reduced. Payment would be made only for the time actually worked, that is, no payment while travelling on lighters and the wages would be reduced from 1/3 to 1/1½ per hour ordinary time, and from 2/- to 1/8 overtime. The other companies in the Western Australian Steamship Owners' Association followed suit and advertised for labourers to work under the new regulations, which were to

65. T.A. Coghlan op. cit., p. 2076

come into force at the beginning of March. What followed was a duplication in some ways of the Maritime Strike of 1890, in the unity and careful organisation of the opposing forces, the violence of the antagonism between the two, particularly on the question of non-unionists, and the aid given by the government to the employers in the name of law and order.

While the companies recruited 'free' labour, the union collected funds from local unions and informed the unions in the eastern states of their case. The strike started 1 March 1899, and almost from the first day there was violence and bitterness quite different from anything previously experienced in industrial matters in Western Australia. Crowds of unionists besieged jetties and ships in an attempt to prevent the strike-breakers' progress. One ship was stormed by the unionists and while most of the free labourers were being hustled away, one of them was tossed into the water. On another the ship-master stood guard over the gang-plank with a revolver while police charged the invading unionists with batons. The strike lasted over a month

and was finally settled early in April by the intervention of a citizens' conciliation committee. This comprised Bishops Riley (Anglican) and Gibney (Catholic), a Methodist clergyman, the Rev. Rowe, Alexander Forrest, the Mayor of Perth and two other prominent citizens. The committee was able to arbitrate between the two parties and after some difficulty the lumpers finally returned to work. The union had to accept the presence of non-unionists on the wharves. On the other hand the shipowners recognised the union and paid the non-unionists the same rates as those received by unionists.⁶⁶

The ending of the strike had important repercussions. It hastened the advent of Western Australia's compulsory Arbitration Act which the Trades and Labour Council had been advocating for some time. The Lumpers' Union was strengthened rather than weakened, since the recognition of the union was established beyond doubt. Furthermore, while there was a small decrease in wage rates, the economic situation in W.A. was such that by the time the W.W.F. was established, Fremantle wharf labourers enjoyed

66. H.J. Gibbney op. cit., pp. 29-34 and T.A. Coghlan, op. cit., p. 2082.

conditions much the same as those in Port Adelaide. Thus there was no strong early incentive to join the W.W.F.

While the Lumpers' Union was on strike in March 1899, a consolidation of unionism was taking in the eastern goldfields of W.A. Much of the radicalism in the towns of Kalgoorlie, Kanowna and Coolgardie had been imported with the migrants from the eastern colonies, and branches of the miners' union, the Australian Workers' Association, grew rapidly in the 1890s. In March 1899 Western Australia's first Trade Union Congress took place at Coolgardie, with delegates from the Perth and Kalgoorlie Labour Councils, and from the miners and other unions in the goldfields. The congress decided amongst other things that the A.W.A. could include members other than miners. The president of this congress was Hugh de Largie, leader of the A.W.A. in the goldfields. With the Coolgardie Trade Union Congress and an even larger one in 1900 in Perth, the development of the political organisation and propaganda of the labour movement went on apace. Hugh de Largie was one of the two Labor Senators elected to represent Western Australia in the Federal

Government.⁶⁷

In the southern port of Albany the lumpers formed a union as a branch of the A.W.A. Albany lumpers had benefited from the gold-boom, though to a decreasing extent as Fremantle's port facilities improved. Men handling coal received 1/6 per ton, with other sections working for 1/3 per hour. In 1901 the Adelaide Steamship Company and McIlwraith McEachern jointly announced an intended reduction in coal rates of 3d per ton, with relative decreases for all lumpers. A six-month lock-out ensued. It ended not only in the defeat of any resistance by the unionists but also in the establishment of a "company union" from which the A.W.A. members were excluded. Preference went, of course, to the "company unionists".⁶⁸ Albany's experience was not one to encourage unionism at Bunbury.

Senator de Largie was made treasurer of the W.W.F. at the inaugural meeting and retained that position until his departure from the C.O.M. with the other politicians in 1916. But over ten years were to pass before the W.A. branches were to fulfil de Largie's

67. Gavin Casey & Ted Mayman, The Mile That Midas Touched, Sydney 1964 pp. 97, 98, and T. Coghlan op. cit. p. 2307

68. H.J. Gibbney op. cit. p.34

undertaking of "about 700 members", made at the first W.W.F. meeting. Geraldton, with 60 members, came in during 1902 when the W.W.F. promised to help the branch with its problem of coolie labour. Bunbury joined a year later with 110 members, but both had to drop out during 1908 because of financial difficulties. De Largie took a particular interest in Albany, but a strike in 1904 left the Albany unionists in much the same situation as in 1901, and there was no improvement even in 1907. Fremantle declared in 1903 that it "could not see any advantage in joining" the W.W.F. ⁶⁹

It is not surprising that Senator de Largie's popularity and influence with A.W.A. members was greater than that which he was able to achieve with Fremantle waterside workers. The Senator was a representative for miners on the eastern goldfields of W.A. and as such was a spokesman for the imported unionism of "t'other-siders" rather than the home-grown, pre-gold-rush variety. The urban population of Perth and Fremantle did not share the miners' enthusiasm for political federation. Wharf labourers were to

69. C.O.M. Minutes 1902, 1903, 1906, 1907, 1908

support, with varying degrees of enthusiasm, the periodic cries for secession which continued to be heard in W.A. well into the 1930s.⁷⁰ Nor is it surprising that the Senator felt discouraged with his lack of success in winning W.A. branches for the W.W.F., especially when it was compared with the spectacular progress of the federation in Queensland. It was Senator de Largie who, in 1910, moved the motion concerning the advice that should be sent to Brisbane in answer to its query about joining the Australian Federation of Labour. There is an undercurrent of bitterness apparent in his words "To talk about a larger federation will not alter the fact that we have been in existence for a number of years and we have not succeeded in getting all the waterside workers in...."

Nevertheless by the October conference of the W.W.F. in 1913, Fremantle, Geraldton, Bunbury and Albany were all affiliated, with somewhat more than 750 members. Two more branches were to join before de Largie's withdrawal, Perth (wharf labourers who worked in Fremantle but lived closer to Perth) which was added in April 1915, and Busselton in May 1916.

70. F.K. Crowley op. cit., pp. 273-277

Relations between the W.W.F. and Fremantle were not really satisfactory until 1945. Fremantle, dissatisfied with the leadership, had left the federation in 1933 but was persuaded to return by J. Healy.⁷¹ Apart from the W.W.F.'s leadership difficulties there had been the disastrous effects on the numerically strong unions of the eastern states in the 1917 and 1928 strikes. Nor could the W.W.F. overcome the problems caused by its geographical isolation from the western state: there was no trunk line telephone service to Perth until the end of 1930; air mails were inaugurated at about the same time, though air transport for passengers was not satisfactory until after World War 11.

Fremantle's isolation affected the branch in a number of interesting ways. Just as the 1899 strike was a parallel to the 1890 Maritime Strike, so Fremantle's strikes of 1917 and 1919, though not connected with the strikes in the eastern states, were an integral part of the campaign to win preference for unionists. The events of 1917 and 1919 established unique traditions of union struggle on the Fremantle waterfront. The Fremantle branch in 1919

71 Fremantle Watersider op. cit., p. 141

had the melancholy distinction of providing the first martyr in Australian waterside union history.⁷² While its connections with the W.W.F. after 1945 became as strong as those of any other branch, Fremantle retained a distinct individuality shown in the type of journal produced and in the social work carried out by its members; their provision of holiday camps for blind and orphaned children has been notably successful.

Tasmania is the smallest state in Australia, both geographically and in its population. There was no politician to represent Tasmanian wharf labourers in 1902 and Hughes showed little concern for the island. The first Tasmanian branches seem to have taken the initiative themselves.

As in Western Australia, Tasmanian unionism did not develop until the 1880s. The unions established between 1882 and 1888 were able to form a Trades and Labour Council in 1888; a year later the Hobart Council was host to the sixth intercolonial congress of Australian trade unions which was opened by the Governor, and

72. T.S. Edwards was injured during a clash with police over the introduction of non-unionists. He was clubbed with a rifle butt by a constable, and died of head injuries. Fremantle Watersider, op. cit., pp.95-101

attended by other Tasmanian dignitaries. The congress stimulated the growth of unionism and led indirectly, later in 1889 to the passing of an Act to legalise trade unions.

Discoveries of tin, gold and silver led to a certain growth of unionism but in the main this was an import from Victoria. As Victorian unionists actually came over from the mainland to conduct negotiations with employers in disputes, Tasmania's labour movement did not receive much benefit.⁷³

Unionism on the waterfront was something which developed almost spontaneously as in the other Australian ports. It sprang naturally out of the conditions of work and the relations with the employers. Wharf labourers in Hobart aided in the development of the Trades and Labour Council and participated in the intercolonial congress of 1889. They raised money to be sent to the London dockers in the same year. In 1890 they were represented at the interstate conference of wharf labourers held in Sydney and this participation strengthened the bonds with the other maritime workers of Australia. Hobart wharf labourers joined in the 1890 Maritime

73. T. Coghlan op. cit., pp. 2811-2813

Strike, refusing to handle cargoes from ships manned by non-union crews. The chief effect of the maritime strike in Tasmania, however, was in the sharp decrease of employment on the wharves because of the failure of ships to arrive from the mainland. Wharf labourers therefore had all the bad effects of the strike without gaining much experience of union organising.

Under the impact of the depression wharf unionism in Tasmania suffered even more than on the mainland, but had recovered by the time the W.W.F. was formed. The Hobart union wrote to Hughes making enquiries about the W.W.F., and affiliated with 200 members in July 1902. In the following year the smaller branch of Strahan also joined.⁷⁴ Other ports gradually followed their lead and the 1913 conference indicated that there were five Tasmanian branches affiliated: Hobart with 200 members, Devonport 70, Launceston 125, Strahan 80, Burnie 60, making a total of 630 - less than Western Australia's 750.

Following his usual custom of using Federal members to represent branches on the C.O.M., Hughes was able in 1910 to add

74. C.O.M. Minutes 9 June, 1 August 1902; 2 March 1903

a Tasmanian politician, when W.H. Laird Smith became M.H.R. for Denison.⁷⁵ A sixth Tasmanian branch, Stanley, was affiliated to the W.W.F. after the 1914 award. All the Tasmanian branches closely followed the W.W.F. instructions in the campaign which was conducted for the making of the award. The smaller ports had difficulties; bans on overtime could well cause much financial hardship. Significant benefit obviously accrued to unionists in a small state such as Tasmania in belonging to a powerful organisation like the W.W.F. Tasmania was close enough to the Melbourne headquarters of the Steamship Owners' Association to allow direct surveillance over union activity in Tasmanian ports. The W.W.F. took the responsibility of conducting Hobart's defence in three cases brought against the branch by the shipowners in 1913, as already noted. The smaller branches were very conscious of the protection offered them by the W.W.F., as is shown in their correspondence with the General Secretary after 1913. When the W.W.F. could not help them, as in the aftermath of the 1917 strike, they were easy prey for those shipowners who wanted to destroy

75. W.H. Laird Smith's name appeared rarely in the W.W.F. records. He was present at the annual meetings in 1911 and 1912 when he was elected as auditor for the C.O.M. He attended the 1913 W.W.F. conference but took no part in its deliberations. He followed Hughes out of the W.W.F. in 1916 and was Assistant Minister in the Hughes Ministry 14 November 1916 - 17 February 1917. He remained M.H.R. for Denison until his defeat in the 1922 Federal elections.

unionism on the wharves. That the Tasmanian branches recovered, and increased in number, was due partly to the island's economic growth but more significantly to the mutual good relationship between the W.W.F. and the branches.

This account of the background of the branches which made up the W.W.F. from 1902 onwards reveals that each group had widely different traditions and outlooks. These differences meant that while wharf labourers throughout Australia shared the same employers, and all were employed in the loading and unloading of cargo, each port union had to be considered by the C.O.M. as distinct from the others.

This created many problems for Hughes and the C.O.M. A powerful group like the S.W.L.U. did not want to surrender its right to win concessions from its employers. "Each improvement had been won at the point of a bayonet" Kelly remarked before the 1914 Commonwealth award was made. The S.W.L.U. relished its industrial battles; as it enjoyed a position of pre-eminence amongst

the Australian wharf labouring unions, it was a difficult branch for the W.W.F. to control.

On the other hand, the Western Australian groups, isolated from their eastern counterparts, and not as successful in their engagements with the owners, tended to be wary of any action which might disturb the harmony achieved. Melbourne wharf labourers and stevedores were weakened by their division into two groups, so could not compare with Sydney in strength. Yet they shared some of Sydney's independence and at the same time some of the caution of the weaker branches.

The numerous Queensland groups were anxious for the help of the W.W.F., yet each, believing its conditions were unique, did not always take readily to the notion of W.W.F. restraint for the sake of the unions in other ports which had not the same problems. Port Adelaide was strong like Sydney, but in a sense was isolated like Fremantle. It was far more conservative in outlook than Sydney and Melbourne and deplored the radical actions in these two ports. When the 1914 award was being negotiated, Port Adelaide

wages and conditions were better than those of Sydney. The P.A.W.M.A. therefore could afford to remain aloof from the W.W.F. until the Commonwealth award at last made the wages and conditions for the branches of the W.W.F. more desirable than those enjoyed in Port Adelaide.

Independence and aloofness were based largely on the same self-interest that activated those branches which looked to the W.W.F. for protection. None wanted to surrender its own port customs if there were any danger that superior rights and privileges might have to be sacrificed. Not only Hughes, but Higgins also was faced with the need to take into account the usage of each port when deciding on a common award.

There was another problem which beset Hughes; the traditions of the strongest branch of the W.W.F., in the port of Sydney, meant that disputes beyond the waterfront could well affect that port. The danger of the S.W.L.U.'s becoming embroiled in disputes which involved trade union principles more profound than those of self-interest, was always present, both before and after the Higgins

judgements of 1914 and 1915.

With such branch problems always having to be considered by the W.W.F., it becomes even more notable that the federation was able to achieve, first the 1909 interstate agreement and later, the first Commonwealth award.

The first twelve years of the W.W.F.'s operations indicated that, with a leader like Hughes, it was possible to offset the power of forty-year-old traditions and to weld more than thirty distinct and separate units into the one organisation.

CHAPTER SEVEN

THE W.W.F. AND COMMONWEALTH ARBITRATION

The W.W.F. received its first Commonwealth award in May 1914. The award was based on the wages section of the log of claims prepared by the W.W.F. on the termination of the agreement made with the shipowners in 1909. Mr. Justice Higgins, who had been President of the Court since 1907, and who had determined the first basic wage at the time of the Harvester judgement, made the award. It was a triumph for Hughes as industrial advocate and union leader, and vindicated all the policies on which he had insisted since the formation of the W.W.F. The award was of the utmost importance for Australian waterside workers, because both the Higgins judgement and the basis upon which it rested became the foundations on which all subsequent awards for wharf labourers were to be made. Since it was the first award made for casual workers, the 1914 Higgins judgement became the basis for other casual workers'

award.

The circumstances leading to the making of the award were marked by hostility to Commonwealth arbitration on the part of many members in the major branches. Opposition gave way to approval on the part of the vast majority in the light of the benefits bestowed by the court. The gaining of the award emphasised the superiority of action taken by all the branches in concert over campaigns undertaken separately by individual branches. It followed that a wage agreement made in the Commonwealth court was preferable to agreements made in the State courts and to attempts at agreement through conferences with sections of the employers. Of lasting significance was the fact that the Commonwealth award superseded any agreement made between individual union branches and local agents. The making of the common award put an end to any of the latter agreements except with the knowledge and approval of the W.W.F.

A direct consequence of Commonwealth arbitration was the strengthening of the W.W.F. For the first time all the members

of the W.W.F. shared a common minimum standard of wages and conditions. The W.W.F. could at last command the full loyalty of the branches under its aegis. The surrendering of some individual branch rights was not a large price to pay for the benefits that could be expected in return. A genuine union of wharf labourers opened the way for a new type of leadership, one which came from within the ranks of the membership rather than from the politicians outside.

The award was made in two sections, wages and conditions. Justice Higgins was given a year's leave of absence after he had started hearing the W.W.F. case. He therefore dealt with the matter of wages before his departure abroad, and left the many other matters to be decided on his return. The two wages awards were declared at the beginning of May 1914; the variation of these wages awards to include other wages matters and the whole question of conditions was not finalised until December 1915.

This separation of wages from conditions was fortunate

since it was proved, during the W.W.F. Conference of 1913, that it was much easier to reach full branch agreement concerning the common wage to be sought from the employers than it was to reach any agreement whatever about conditions.

Over the years of the growth of union organisation in the various ports, both before and after the advent of the W.W.F., each section had made its own local agreements with the shipowners. Based on local customs, the agreements varied widely according to differences in geography, climate, cargoes and the relative strength of the union vis-a-vis owners or agents. The S.W.L.U. had been dissatisfied since its first state award with wage differences operating amongst its own members. Men working on interstate and coastal ships, often doing the same work as those on the overseas vessels, had since 1902 received less pay. As late as 1913 the New South Wales State Court continued this discrepancy, interstate men receiving 1/5, the overseas men 1/6 per hour. The Sydney unionists were anxious to get a common rate operating in their

own port but had not shown much concern for the C.O.M.'s efforts to achieve a common rate for all ports. Hughes, on the other hand, often expressed anxiety about the difficulties caused by individual branch agreements after the making of the agreement with the interstate shipowners in 1909, which made 1/3 per hour the standard rate in all ports for the interstate trade. Morris shared this concern and both came to the 1913 W.W.F. Conference determined to get unanimity amongst the delegates for the proposed log of claims, concerning both wages and conditions, to be put to the shipowners.

The conference was held in Sydney, and began on 7 October, 1913, lasting for two weeks. Delegates were present from all states save Western Australia. There were twenty branch officials, as well as Joe Morris, and three politicians - Hughes, Bamford and W.H. Laird Smith M.H.R. (Denison). The latter was the political representative for the Tasmanian branches. In his long opening speech as chairman, Hughes

lectured the delegates earnestly concerning the subject of agreements.

Some unions rush in too fast. We should hesitate very carefully before we enter into an agreement. We should look most carefully at every term of the contract; but once entered into we must stand by it. No agreement ought to be made by any branch except it first be submitted to the Secretary (of the W.W.F.) for approval. Nor should it contain any clause which in any way conflicts with the basic principle of the Union or the Federation...It is not too much to ask that the same regard for the wishes and welfare of the majority that every branch and union demands in its own case shall obtain with regard to the Federation.

Unionism makes every man realise that he is not the only pebble on the beach; he is working for the good of his fellows and it makes him recognise that there is no way in which he can effectively work for his own good as when working for that of his fellow men. I emphasise this point because discipline is the foundation upon which unionism stands.

Hughes also dealt with the value of arbitration. Any criticism of the operation of the principle, he believed, could not alter the fact that the principle itself went to the roots of industrial unrest.

Arbitration is capable of maintaining industrial peace... The strike is a weapon that no longer occupies the place of honour in our industrial armoury.

His greatest praise was for the role of Labor in parliament. He dealt in detail with "the struggle going on in Dublin where men and women goaded beyond all limits are endeavouring to get better conditions for themselves". (He referred to the strike of transport workers there). Then he referred to the strikes of workers in Great Britain where

after ten years' incessant struggle...enormous financial loss had been incurred only to maintain the existing rate of wages. Contrast our position with theirs

he exclaimed.

Admitting we started better, what is the result of ten years' struggle by the Australian unionist for better conditions? Beyond question he is better off. The reasons were...we have had political power. In Great Britain they have not had it. To achieve complete economic independence it is necessary that we should exercise political power. That is the explanation of their (the British unionists') failure. 1

Having laid down these precepts Hughes stayed at the conference long enough to get the agreement of the delegates for an application for a wage increase which would be common to all wharf-labouring sections in all ports, that a full-time

1. W.W.F. Annual Conference 1913, pp. 9 - 13

secretary-organiser should be appointed, and that the conference should send £200 to aid the families of the Dublin strikers, and as well send telegrams to all the branches for donations.² Midway through the second day Hughes, Bamford and Smith departed to engage in the exercise "of political power". It was left to Morris to do battle for the achievement in practice of a common log of claims.

The ex-wharf labourer Morris did not share the barrister Hughes's enthusiasm for arbitration, believing it was something for weak unions. Waterside workers were strong enough, he believed, to fight for what they wanted, that is, fight through conferences with the shipowners. Throughout the conference he tried therefore not only to get agreement amongst the delegates for common demands, but also to keep those demands at a level which would not drive the employers into seeking the aid of the Arbitration Court. His task was a difficult one. On the first matter, that of the wage rate, while the delegates had agreed with Hughes that the rate should

2. Most branches responded with donations of £5; Sydney sent £25.

be a common one, there was argument as to how much it should be. The agenda item had suggested 1/9 per hour ordinary time. Many wanted 2/-. Some opponents believed the ship-owners would refuse to consider an increase over the original proposition of the C.O.M. Others thought that non-waterfront unskilled labourers would think 2/- a ridiculous amount to ask. Rather nervously the delegates finally decided on the higher rate, believing that this would give room for compromise, thus initiating a bargaining tactic still used today. "Time and a half" for ordinary overtime, that is night work during the week, was agreed to, and "double time" for other overtime.

There was agreement that all rates should be higher in the tropical ports; difficulties arose as to what men should be paid if they worked their meal hour, what extra payment should be made for working overtime on special cargoes like frozen meat, whether overtime should be worked at all, especially on Sundays. The wages question became inextricably involved in the question of conditions, the small ports insisting that many of their

members could make a living only by working overtime, and that the large branches were trying to hurt the smaller ones. The task of Morris was made more difficult by the absence of Hughes. His place as chairman was taken in turn by representatives of larger branches who had none of Hughes's consummate skill in overcoming divergent opinions. Nor did these chairmen have the authority of Hughes as spokesman for the whole of the W.W.F. Their position was weakened by their lack of Hughes's belief in the power of the W.W.F.

Examples of the delegates' statements indicate the type of difficulty faced by Morris and the conference in drawing up the log of claims. The Sydney delegates objected to the expense of a full-time secretary for the W.W.F. since the S.W.L.U. would have to pay a larger proportion of the secretary's salary than any other branch. "We are confronted with men who come along and say your Federation is a farce", said Sydney secretary Woods. The Melbourne branch leader Cadden said during one of the many arguments about hours of work

From 1890 to 1910 the wharf labourers (Melbourne) had eight hours a day. When the Federation came in we got preference to unionists and 1/3 an hour; but we also got an extra half hour on the day's work. The Federation gave the half hour to the employer to make up for Saturday afternoon. It was hard to get that accepted by the members. The twenty four hour system is no good at all.

The delegate from Rockhampton thought conditions were more important than wages, and said

There is something more important than wages. It is the system of conditions. What is the use of working for an exorbitant rate? It is no good if our conditions are no better than the blacks have. In Queensland we have not got one better condition since the Federation was formed...The men have their lunch with them and eat it while they work. It is no way for a man to live. It is forcing them to live like dogs.

Unlike this delegate, most of the representatives of the smaller ports wanted to be able to work during the meal hour and receive extra for doing so. A Melbourne delegate put the large branches' point of view:

We who are in close touch with the shipowners are bumping against this thing all the time. We have passed a motion that men should not work meal hours. We have had three conferences with the shipowners, and they have said 'If you are not prepared to work, why do you make provision for the work during the meal hours? I do not

think the large branches are trying to hurt the small ones. Seeing the conditions they work under there, they want their men to be able to work meal hours under certain conditions. The shipowners really do not care what they pay so long as they get their ships despatched. We say that if we do not get our meal it cannot be made up to us afterwards.

Confusion seemed unending. No delegate was prepared to agree to a common condition which would mean that the members of his port would get less through a common log than they had achieved in separate agreements over the years of argument with the shipowners. After a particularly difficult discussion concerning the maximum weight for a sling, when no uniform amount could be agreed upon, Morris changed his mind about uniform conditions. He told the delegates that he believed that in cases where there was very much variation in particular conditions, a minimum standard should be decided by the conference. Each branch could then negotiate separately with its own employers for conditions above the minimum. This idea was accepted. A log of claims, containing sixty points, a conglomerate of minimum wage standards and working conditions

and hours of work, was drawn up. The delegates would discuss the log in the branches for agreement and alteration.³

The agreement made with the Interstate Shipowners in 1909 was to terminate in November 1913. Hughes planned the new agreement to be negotiated with the shipowners early in 1914. Plans for the smooth running of negotiations required the co-operation of the branches in all states, efficiency on the part of the C.O.M., and a readiness to confer to be displayed by the owners. There were hitches in all three areas. Apart from the difficulties to be expected in getting prompt agreement from 28 port organisations for the many different points contained in the list of claims, the most important port-Sydney-became involved in the New Zealand wharf labourers' dispute during November 1913. Anxious to proceed with his plans for negotiating with the Australian shipowners, Hughes had to get the affair terminated as quickly as possible while retaining the general support of the Sydney branch for the W.W.F. The Hobart branch had to receive the attention of

3. See Appendix V

Morris in three cases brought against it by the shipowners. Fremantle, not represented at the Annual W.W.F. Conference, had to be cajoled into accepting the principle that the C.O.M. should "fix up their agreement the same as the other branches".⁴

The C.O.M. had its own difficulties. It was not Morris who had been elected at the October conference as the full-time secretary. The position had been won by McCabe of Brisbane branch, somewhat to his own surprise. While Hughes was busy with the solution to the problem of the New Zealand strike and Morris was looking after the Hobart cases, McCabe found himself in a situation with which he could not cope. He had left his family in Brisbane until such time as he could find a suitable house in Melbourne. Having to make provision for his family and pay for his own board and lodging meant such financial difficulties that he felt forced to resign his new position at the first meeting of the C.O.M. in January 1914. The C.O.M.'s own financial position was not good. In the Hobart cases brought against the W.W.F., one had been withdrawn,

4. Minutes C.O.M. 28 November 1913, 30 December 1913

one was won and one lost. It was decided to appeal to the High Court concerning the lost case. This would cost about £1000, and an appeal had to be made to the branches "as the funds of the Council were very low".⁵

Gaining the agreement of the shipowners for a conference was an easy matter. Hughes wrote to the President of the Australian Steamship Owners' Federation:

On behalf of the W.W.F. I beg to request a conference with representatives of your Federation for the purpose of amicably determining the rates and conditions of labour in your industry. If you think it advisable we shall have no objection to meet representatives of the deep-sea and coastal branches at the same conference. But this I leave entirely to your judgement. 6

The deep-sea employers were involved in trading between many ports in the overseas trade. They did not have the same reasons for opposing wage increases or for altering conditions as did the Australian owners involved only in the interstate and coastal trade. It was the interstate owners, not the overseas shipping agents, who were most threatened by the W.W.F.'s desire for a "common" award since this meant raising

5. Ibid 28 November 1913

6. W.W.F. Correspondence with Branches 1914 Handwritten letter from Hughes to Northcote (no day) January 1914

interstate wages to the level of those paid by the overseas companies. The first conference took place early in January, branches and shipowners having been notified that no separate agreements were to be made between branches and owners except through the W.W.F. until matters had been settled by conference.

It was soon indicated, however, that the shipowners' agreement to the new log of claims would not be readily achieved. The course of events was described by J. Woods, Sydney's delegate to the conference:

Having perused the log of claims the shipowners (association) informed the W.W.F. that it could not see its way clear to agree to the demands and suggested the matter be referred to the Federal Arbitration Court. This course was objected to by the Federation delegates and as there appeared to be no chance of a compromise, the conference ended. Subsequently negotiations for a further conference were entered into...in the meantime the Sydney men in the interstate trade had refused to work later than 5 p.m. (a ban had been put on overtime work) in consequence of which the meeting was held over until such time as the Sydney men agreed to continue working overtime.⁷

In view of the report of their financial secretary Woods,

the branch agreed to resume overtime work. But at the resumed conference the owners remained intransigent. The C.O.M. gave Hughes complete power to make those compromises he thought best, and he informed the shipowners that 1/9 would be accepted instead of 2/- per hour if the branches agreed but the shipowners then said they would work for three years on the existing rates and would confer on conditions.

The C.O.M.'s reply was that

having carefully considered the position created by the refusal of the shipowners to grant any concession, we have decided upon a policy and call upon the branches to loyally adhere thereto. That in pursuance of this policy the Council has decided until further instructions on and after Monday February 9th. no overtime is to be worked by any member of the Federation and that hours of labour be 8 to 5 each day and 8 to noon on Saturday. That we recommend to the branches to make provisions to ensure a fairer distribution of work amongst their members.⁸

This resolution did not merely indicate that Hughes was prepared to use the strike tactic albeit in a modified form, when obstruction to negotiation by the shipowners called for

8. C.O.M. Minutes 26 and 30 January 1914, and S.W.L.U. Minutes 6 February 1914

a show of militancy by the wharf labourers. Hughes knew well the difficulties to be surmounted in getting a case heard by the Commonwealth Court. Firstly, the Court could not recognise a mere theoretical dispute. There had to be indications of a 'genuine' dispute.⁹ Hughes could not countenance a complete stoppage of work, according to his own principles, but a ban on overtime created a real dispute while not creating a real strike. It was a brilliant piece of legal strategy, marred only by the inventor's failure to explain the matter clearly to those who had to execute it. The response of the branches was immediate. The Sydney branch easily defeated an amended proposal (put by the veteran Kelly) that overtime should be worked but at much higher rates than usual. Woods declared that the C.O.M.'s motion should be carried because "this was the first time the Federation was acting as one body". The Port Phillip Stevedores had to hold two special meetings before the branch membership, almost unanimously, decided to obey the dictates of the C.O.M. rather than the

9. O. de R. Foenander, Industrial Regulation in Australia, Melbourne 1947, p. 8

more radical proposals of a section of the membership. But on the scheduled day for the beginning of the overtime ban, 9 February, no overtime work was done in any port in Australia save Port Adelaide. On the following day all branches were instructed by telegram that none should enter into any agreement with the shipowners without the sanction of the Federation. Faced with the W.W.F. solidarity Justice Higgins now took a hand. He suggested to Hughes that the W.W.F. should decide to resume overtime, and to the owners that they should pay an interim increase of 1d. per hour ordinary time and 1½d. overtime, until an award could be made. Hughes agreed with the proposition. But what seemed a clear and simple solution to Hughes and Higgins was not viewed in the same light by the W.W.F. or the employers. The attitude to arbitration which J. Morris had expressed at the annual conference in October 1913 was seized upon by A.W. Wilson, who as president of the Port Phillip branch was temporarily a member of the C.O.M. He had I.W.W. beliefs so did not want the log of claims to go to arbitration.

Hughes was asked two questions when

the C.O.M. was debating the matter at a hastily-summoned meeting immediately after he had finished his conference with Higgins:

Were the branches to accept a Federation decision concerning Higgins's proposals when the Council was not unanimous? What was the Council's attitude towards arbitration and any award made by the Arbitration Court in respect to our own industry? Hughes replied that all members affirmed their belief in solidarity and that whatever the Court might give in our case the members of the Council would accept it and strongly recommend the members of the branches to do likewise. 10

The other politicians on the C.O.M. were in agreement with Hughes but this majority decision of the W.W.F. leadership became irrelevant when on the following day the C.O.M. was informed that the shipowners were equally, if not more, in a state of 'solidarity'. Hughes reported

that they had refused to concede to the request of Justice Higgins to give the increases without prejudice, and after trying all ways to get them to agree to something he suggested that he would take the case if the men go back to work and Council get them to vote to go back to work.

The Council then decided that

10. C.O.M. Minutes 11 February 1913

the compulsory conference having failed, the President of the Arbitration Court, Mr. Justice Higgins, in view of the extreme gravity of the industrial position, undertakes to hear the case on Friday 20 February provided the members of the Federation resume normal working conditions by working overtime. Council recommends the branches hold stop-work meetings on Thursday 19th. and strongly recommends members to agree to the request of Justice Higgins.¹¹

Hughes was given full charge of the case and was to have the aid of the two Federation solicitors in getting the necessary evidence. The expenses of the case were to be paid for on a pro rata basis by the branches.

For Hughes the path once more seemed clear and he set about his task of preparing the material for the case. The Sydney branch was instructed as to the kind of evidence he wanted. O'Meara for the deep-sea and Woods for the interstate were to collect details as to earnings and conditions. The two Melbourne branches were to send at least six men each to the W.W.F. rooms in Market Street to supply Hughes with answers to his questions. But the opposition to arbitration expressed

11. Ibid., 12 February 1914

at the C.O.M. meeting of 11 February, and the earlier division of opinion in the Sydney and Port Phillip branches should have warned Hughes that the way to the court was still obstructed. While the other twenty-seven branches obediently sent telegrams informing the C.O.M. that the decisions to resume normal work had been made, Sydney and the Port Phillip Stevedores decided by large majorities not to return.

The opposition to the C.O.M.'s directive came from those who rejected arbitration in favour of direct action as a matter of principle, and their numbers were swelled by others who did not believe that Justice Higgins could get the ship-owners to agree in court when he had not been able to persuade them to accede to his interim request. Sydney's Town Hall meeting was a boisterous one. The chairman "requested the members to refrain from smoking and also not to damage the chairs" but twelve chairs were indeed broken by burly unionists jumping on them in their endeavours to be heard.¹² A large majority defeated the C.O.M. proposal to end the overtime ban.

12. An account from the Town Clerk for £2.2.0 for twelve broken chairs was passed for payment at the S.W.L.U. meeting 4 March 1914.

Hughes then wrote to the branch:

Unless the Federation is to be shipwrecked and a great strike precipitated united action must be enforced. I go into the Court on Friday and must be able to state definitely what the position really is. I am not going to represent a Federation that cannot speak for all its members. We must therefore have Sydney into line now that the majority has decided. I gather that the last meeting was turbulent and anything like calm consideration of the proposals and position impossible, and that the Council had decided to take a ballot. The time is short but the matter is so extremely urgent that delay is impossible. Will you then make immediate arrangements for a ballot and provide for the taking of the same.

The proposal for the ballot was only narrowly passed (98/85) but the result, announced at the branch meeting a fortnight after the Town Hall meeting reversed the decision of the latter. A total of 1668 members voted for a resumption of overtime work, 645 against.¹³

The members of the Port Phillip Stevedores' Branch were even harder to convince. Morris had remained as their part-time secretary, and as he had declared in October 1913, he himself preferred conference with the employers to arbitration.

13. S.W.L.U. Minutes 19, 25 February; 4 March 1914

Close association with Hughes in the abortive conferences with the employers convinced him, however, that recourse to the Arbitration Court was necessary. His influence amongst the Port Phillip Stevedores was counteracted by the branch president, A. Wilson, who as a member of the Industrial Workers of the World opposed arbitration per se. Wilson disliked not only arbitration but also Morris and Hughes because they opposed the direct action advocated by the I.W.W. His propaganda was accepted by the Port Phillip men for the same mixed reasons which swayed the Sydney wharf labourers; some disliked arbitration on principle; others saw direct action as necessary to persuade the recalcitrant shipowners into renewing negotiations.

Hughes composed a long circular which, signed by himself and Morris, was distributed to each member in the hope of isolating the extreme radicals. The circular abjured the rebellious stevedores, reminding them of what the Federation had done for wharf labourers, of the necessity for

unity, that "discipline was the very keystone of the unionistic arch", that twenty-seven branches with a membership of 7,624 had voted for the Council's proposals, and only two, with a membership of 5,376 had stood out against the majority.

The Council calls upon the members of the Stevedores' Branch to fall into line, to be true unionists, and not to follow those wreckers of unionism, who, by defying discipline and united action, play into the hands of the capitalists. 14

The branch allowed the C.O.M. to take a plebiscite of its members which resulted in a 500/100 vote for a return to work under normal conditions on 2 March. But it also decided "to have another meeting in a month's time to see there had been no unnecessary delay with the case". Hughes was at last able to announce that Higgins would go on with the deferred case on 9 March. The cost was estimated at £1800, so the branches were notified that their quota would be about 2/- per member and "to forward same as soon as possible".¹⁵

14. Circular to the members of the Port Phillip Stevedores' Branch of the W.W.F. (no date) included in C.O.M. Minutes 25 February 1914. The full text is shown in Appendix VI

15. C.O.M. Minutes 5 March 1914

There was still opposition in Sydney; it took the form of standing over the matter of the per capita levy until after the case was over. There was personal animosity also, between Woods, the Secretary and P. O'Meara; the latter was collecting evidence for Hughes concerning the conditions of men in the deep-sea trade. However the evidence from both sections in Sydney was forwarded to Hughes in large quantities. It indicates the precariousness of casual work on the waterfront. There was a wide variation in wage averages. In general, the deep-sea men earned more than those engaged in the interstate or coastal trade; there was variation within the particular divisions. One man, "well known to all the stevedores", that is, a "preference" man whose work could be relied upon, averaged 30/- a week working in the three different sections. Another, "commonly known as a hungry man for work", averaged £2.10.0 per week and could not live on what he earned. A few of the labourers did not work exclusively on the wharves. One went shearing regularly in

the winter months. For the eight months he worked in the deep-sea trade - he was "absolutely a preference man on the White German" - he averaged £2.5.0 to £2.8.0. Where a man was not preferred by the stevedores, the average was as low as 25/- and "obtaining work was a game of chance. An exceptionally good worker on the other hand could get all the work he wanted and could average £3 a week".¹⁶ Much of the wage in the larger averages consisted of overtime pay, and the strongest "preference" men worked the most overtime. O'Meara forwarded to Hughes some figures concerning hours worked and number of men employed. On Monday 2 March 1914, 2,677 men were employed. The number of ordinary hours worked was 20,462, overtime 5,361. On the following Monday, 3,244 men worked 25,292 ordinary hours and 6,797 overtime hours. The uneven nature of employment was shown in the following week, when as O'Meara wrote, "Many men drew a blank". But in the same letter he reported that

16. W.W.F. Correspondence with Branches 1914; S.W.L.U. to W.W.F. (no date).

the wheat men, as special cargo men, are in a unique position. They receive 14/- for eight hours, 24/- if working till 10 p.m. and all hands are paid full minimum. They are the best paid of all wharf labourers and extremely selfish as regards the work at the Island (Darling Island). They are already enquiring about their own increases above the other workers in the union...they do well in the season, often working till 10 p.m. 17

Hughes had personal interviews with the Port Phillip members and written records are not available in the same way as for Sydney. A letter from the wife of a man working on coal was used by Hughes as evidence. It is reproduced as written:

34 York St.
S. Melbourne
(no date)

Mr. Hughes,

My husband is employed in a regular coal gang on the wharfe for the last ninty (nineteen days) he as worked made up as follows

6 days	4.0.0.
2 days	1.10.0
2 days 7 hours &	
3 hours over time	<u>2.13.0</u>
Total	8.5.10

he required 2 shovles he was working in the West Melbourne dock there was transport every day and clean clothes every day. there was a very small amount left to keep himself wife & 5 children he worked 2 boats for Smith & one for Brown

I have sent a copy of this to Mr. Northcote (President of Steamship Owners' Association)

Coalies wife¹⁸

17. Ibid., P. O'Meara to W.M. Hughes 3 and 15 March 1914

18. Ibid., 1914

To branches outside Sydney and Melbourne, Hughes wrote asking for reliable witnesses and written evidence covering all aspects of earnings, conditions and cost of living, and gave the following outline of the case

He hoped to make out....that the industry is one subject to great fluctuations; that the nature of the work is extremely casual; that although on many days not a quarter of the men are employed, on other days every man is snapped up, therefore the industry cannot be carried on with fewer men; and therefore the industry ought to support those who are necessary to it by giving a fair and reasonable wage; that the present rates do not enable at least 60% of the Union to get this wage; that while it is true that 25% or so get good wages, and some get very good wages, they only do so by working long hours and at the expense of the bulk of the Union which is not similarly favoured; that at least 60% of the members do not average more than £2 per week for the 52 weeks of the year; that a very large number do not average 35/-; that all efficient members ought to receive not less than £3 per week for the 52 weeks of the year....19

The branches experienced some difficulty in getting the required information because few members kept records of weekly earnings and no access could be gained to the stevedores' pay-sheets. Hughes had to piece together the various incomplete accounts to make a very convincing whole. Cairns, for example,

19. Ibid., Hughes to all branches other than Sydney and Melbourne 5 March 1914.

provided the record for one week only. They sent the following telegram:

WAGES EARNED FOR WEEK £283.2.1. NUMBER EMPLOYED 147²⁰
AVAILABLE NOT WORKING 29 AVERAGE 176 MEMBERS 30/-

The hearing began 9 March 1914 and ended on 27 April. Evidence was heard in Melbourne and Sydney, from Hughes, Morris and a number of wharf labourers, and from the Commonwealth Shipowners' Association and the Stevedores' Association. From the outset Hughes was in his element. He began by challenging the presence of C. Schroder, a solicitor who had recently become the assistant secretary of the N.S.W. Stevedoring Company at a salary of £1 per week, on a contract which could be terminated at a week's notice. Section 27 of the Commonwealth and Arbitration Act made it clear that no party should be represented by counsel unless the other side had a similar advantage, and Mr. M. Adams of the C.S.S.D.A. argued that if Hughes, as a barrister, was to be present on behalf of the W.W.F. the ship-owners should have an equal advantage. Hughes replied

20. Ibid., 10 March 1914

In my own case I am president of the organisation... which I founded 12 years ago. As a matter of fact, without me there would be no organisation...From the day of its formation I have remained an unpaid official and I have never received one halfpenny for my work.

(Hughes failed to mention the payments he did actually expect, and receive, for his legal work on behalf of the union.)

President Higgins decided in favour of Hughes and against the discomfited Schroder who was asked by the President to furnish a copy of his contract of employment so that the President could "keep it as a curiosity".²¹

Hughes then proceeded to call witnesses to give evidence regarding the fluctuations of the work, its extremely casual nature, the low average earnings; he claimed that while there were too many men available on most days there were not enough on others, so that the employers, who could not do without the maximum number for their own needs, did not pay the minimum required for a reasonable wage for all. Higgins remarked that the evidence of the large number of witnesses who averaged only 30/- per week, much of it in overtime money, had "grown

21. Argus 10 March 1914

monotonous". On his part the President was anxious "to get something that would provide the wharf labourer with a reasonable wage and at the same time protect the employers from becoming a benevolent society". He therefore sought carefully the wharf labourers' cost of living. One witness told him that his rent was 15/-; he let out one room for 6/-. He paid weekly 7/6 for meat, 8/- for groceries, 2/4 for bread, 1/6 for vegetables and fruit, 3/- for firewood and lighting, 3/- for train fares, 1/4 for tobacco, 10d. for union contributions, 6d. for newspapers, 1/- for sundries, 1ld. for clothing. Higgins asked him whether 1ld. a week was enough to clothe a family. "That is all that is left", replied the witness. His wife made all the clothes for the children from old clothing given to him.

The President remarked that all the witnesses who gave evidence concerning coal-lumping in Melbourne and Hobart seemed to be very short men. He was told that short men usually had strong backs. The coal men had to have strong backs - two carriers would carry 55 tons of coal in 8 hours. Their work

was hard; it had to be done almost in the dark; and sometimes to get out on deck for a breath of fresh air in the smoke-oh period, it took the men "10 minutues to dig themselves out".

Hughes was able to make capital out of the owners' resistance to supplying himself and the Court with documentary evidence regarding their wages bills. On Higgins's insistence, pay sheets for two months in 1913 and 1914 were produced, and Adams for the C.S.S.O.A. then admitted that the industry could bear an increase. Hughes professed shock - "that was the chief reason they refused to grant us what we asked at the conference", he declared. But the President, anxious to get conclusive evidence for a wage based on the needs of the worker as well as the capacity of the industry to pay, said pacifically "I want bygones to be bygones". On the other hand, when the owners' spokesman complained that the Sydney wharf labourers "were refusing to handle frozen meat on the grounds that export was undesirable until the price for local consumption had been reduced", the President waved the matter aside and continued

the case.

During the course of the hearing Higgins suggested several adjournments so that the two parties could confer together, with the aim of settling differences concerning the conditions sections of the W.W.F.'s log of claims. The conferences could not reach any satisfactory conclusions except on the possibility of local committees of five each side having further discussions. Higgins thought that a good idea since they could become boards of reference and "the Act was deficient in that respect". Furthermore, as announced during the hearing, he had been granted leave of absence from the Court for a year because of the overstrain induced by the work. "Other matters must wait his return". Hughes was able to give the President an undertaking that he would "get the obedience of all the branches to the W.W.F. to prevent those who would strike at any price and at any cost at any excuse". On the other hand, outside the Court, the employers expressed their perturbation at the proposal of Higgins to award 1/9

per hour to wharf labourers.

Other workers would become jealous...The interstate companies would have their costs increased by £200,000, and more when the special rates were fixed. In the short space of six years the labour costs to the Australian companies had been raised by no less a sum than £456,250 a year...Freights and fares must be increased substantially... The heavy increased labour cost must be passed on to the public. This will probably mean a serious falling-off in the volume of traffic. 22

Justice Higgins ignored the lamentations of the owners.

It was not that he believed in favouring workers to the detriment of employers. He had first applied the principle of his Harvester wage in providing a living wage in the Marine Cooks, Bakers and Butchers case of 1908. He stated then that he had never ruled that the capabilities of industry to carry that wage should not be taken into account.²³ He had remarked while he was hearing the W.W.F. case that he wanted to protect the shipowners "from becoming a benevolent society".²⁴ His concern was a balanced one. He looked at both social and economic factors in the making of his awards so that the worker received a fair and reasonable wage which was within the capacity of the

22. Argus 10 March to 29 April 1914

23. Foenander op. cit., p. 83

24. Argus 29 March 1914

employer to pay.²⁵ His balanced concern included the welfare of the public. "The Court steadily refuses to make orders which would militate against the public interest or convenience."²⁶

In making an award to the wharf labourers Higgins disregarded the complaints of the employers because they had brought forward no evidence to show that freights had to be raised as a consequence and they had admitted that the industry could bear the rates.²⁷ On the other hand he also disregarded the claims of Hughes that the work of the wharf labourer should be considered skilled work.²⁸ He wished too to fix a common rate that was related to the wharf labourers' cost of living, as he recalled later:

Where it is established that there is a marked difference in the cost of living between one locality and another, the difference will as far as possible be reflected in the minimum wage. But where, as in the case of the wharf labourers at ports, all the employees and nearly all the employers desired there should be no differentiation, the Court bases the minimum wage on the mean Australian cost of living. 29

Higgins had introduced his Harvester standard in 1907, soon

25. H.B. Higgins, A New Province for Law and Order p. 53

26. Ibid., p. 14

27. 1914 C.A.R. Vol. 8 No. 1 p. 54

28. Argus 27 March 1914

29. H.B. Higgins, A New Province for Law and Order p. 11

after becoming the second president of the Commonwealth Arbitration Court. He calculated a minimum weekly wage "for the normal needs of an average employee, regarded as a human being in a civilised community" as 42/- per week. Until the W.W.F. case the Court had not made any award for casual workers. The wharf labourers were casual workers and it seemed inevitable that they should be so, since their work was governed by the irregular arrival and departure of the ships which they loaded and unloaded. There was also the problem of the frequent periods of unpaid idleness which was the lot of the wharf labourers. In finding the minimum rates of pay proper for the wharf labourers, Higgins said

The Court must first find the proper basic wage on the general Australian level, and must then find what hourly rate will give that basic wage. The Court fixes the proper basic wage on the general Australian level at 8/6 per day and finds that 1/9 per hour is the rate which, under present conditions will secure the basic wage to the labourer of average strength and competence who devotes his working life to this industry. 30

Higgins arrived at the amount of 1/9 by dividing the weekly

basic wage by 30, since wharf labourers could not expect to get 44 hours of work on the waterfront. The exigencies of the shipping industry required that they should be available to be called upon at any time, which meant that their income from the waterfront could not be augmented away from the wharves.

Higgins justified the method of arriving at the hourly wage of 1/9 in a long speech which indicated that he had been moved by the evidence Hughes and his witnesses had brought forward during the hearing.

...It is lamentable that so many lusty men, mostly in the prime of life, should have to stand about, idle, waiting for a job at the usual place of hiring - earning nothing some days, nothing even some weeks, and earning high wages some weeks by excessive hours of toil. The frequent bouts of idleness must often lead to bad habits and to loss of muscular condition... They are entitled at least to food, clothes and shelter for themselves and their dependants during the whole term of this service. If a man keeps a horse, he has to feed the horse on days when he does not use him, as well as on the days when he does. If he keeps two or more horses and uses them in rotation, they must be fed all the time. If people expect cabmen to be ready for a call at the stand, they must pay an extra rate to cover the time lost in waiting...They also serve who only stand and wait. 31

31. Ibid., p. 73

The method of dividing the basic wage by (about) 30 to give the hourly rate for casual work on the waterfront was the standard used by the Commonwealth Arbitration Court from 1914 onwards for all casual workers. Until 1932, when Judge Beeby altered the practice, the wage for the waterside worker followed the 1914 model set up by Higgins.

The President of the Court reminded Hughes of the promise given by him on behalf of the W.W.F. that there should be industrial peace. He had, during the hearing, criticised the rules of the Federation too, in spite of Hughes protesting that the rules had been very carefully worked out. "I need not remind Mr. Hughes", repeated the President of the Court,

or the members of the executive committee of the Federation of their promise to exert their full influence to secure a proper organisation for this anomalous Federation. No branch rule...should be allowed without the sanction of the Central Federation... The extreme system of branch autonomy which has hitherto prevailed has been productive of much friction, many stoppages of work; and I shall watch to see that all the branches of the Federation, who are getting from this Court a substantial increase in their wages, put themselves in a

position to carry out their responsibilities to this Court. 32

In conjunction with the award of 1/9 per hour Higgins fixed an equitable minimum amount for the coal workers of Melbourne and Hobart, who, working on contract, were paid by the ton. The principle of time-and-a half for ordinary overtime and double-time for Sundays and holidays had been acknowledged by agreement of the employers and the W.W.F. Special rates for ports above Brisbane were not easily settled in conference between the parties. The rates current at Rockhampton and Mackay were 1/8 for ordinary time, 2/4 overtime. At Flat Top, which was a journey of anything from $1\frac{1}{2}$ to 6 hours from Mackay there was a flat rate of 2/1. In the other Queensland ports north of Brisbane the rates were 1/10 and 2/5. Higgins arbitrated the matter by adding 3d. and 4d. to the existing tropical rates for ordinary and overtime work. Hughes urged the 150% principle, but Higgins replied that "as they did not get it now he was not going into fancy matters".³³

33. Argus, 17, 23 and 29 April 1914

No other penalty rates were awarded, either for holidays or for special cargoes. These matters and all the other points in the W.W.F. log of claims were left for the owners and the W.W.F. to settle if possible. What could not be settled in conference could be raised, without disruption to industry, before Justice Powers, Vice-President of the Commonwealth Arbitration Court. Higgins would hear any outstanding matters on his return from abroad.

The role of Hughes in the preparation and conduct of the W.W.F. case was a vital one. He had to attend all the hearings both in Melbourne and Sydney and his presence was indispensable in the conferences with the owners when Higgins adjourned the court periodically for these conciliation discussions. Frequent meetings of the C.O.M. had also to be called, sometimes at the end of Hughes's day in court. Hughes himself made the necessary alterations to the W.W.F. constitution required by Higgins. Hughes wrote the circular to the branches embodying these changes, calling on the branches to endorse

the award and to give an undertaking not to disturb it, and announcing the necessity for an increase in fees as soon as the award was made. The initiation fee was to be increased by 10/- to 30/-. and 5/- out of the fee was to be paid to the W.W.F. to finance the costs of ensuring industrial peace.³⁴

The C.O.M. at one of its meetings "placed on record its appreciation of the eminent services rendered to the Federation by the President the Hon W.M. Hughes generally, and in particular during his recent efforts to improve the conditions of waterside workers", and their president "thanked the kind expression and was pleased to be able to help improve conditions of the whole of the workers of Australia and particularly those of the Waterside Workers".

Meanwhile Hughes's own branch was still distracted by opposing factions. Much to the disgust of J. Woods, an extreme radical was elected to be one of the five members of the committees to meet the owners in conference about working conditions.³⁵ The election of T. McCristal was significant, as he represented

34. C.O.M. Minutes 17, 22, 24, 27 April 1914

35. W.W.F. Correspondence, Woods to Hughes 13 March 1914

a group opposed on principle to the whole business of arbitration. He led the opposition to the payment of a levy requested by the C.O.M. for the expenses of the court case. It was decided to "let the matter stand over till the case was finished". McCristal also supported E. Kelly in his determination to prevent the loading of frozen meat for export while the price in Sydney remained high. Hughes decided it was time to take a hand himself in the affairs of the S.W.L.U. He attended the branch meeting on 1 April 1914. His way should have been made easier by the press reports of the employers' admission that they could afford the W.W.F. pay claim. Many of those who opposed arbitration because of their distrust of the owners would now have been silenced.

Hughes first set out to get the branch endorsement for a resumption of work on frozen meat cargoes. The ban on the handling of frozen meat for export had been undertaken in an attempt to reduce the domestic price of meat. This was the first recorded example of a 'political' strike on the Sydney

waterfront and was initiated as well as supported by other than extreme radicals. Hughes and J. Woods were both accused of being "traitors to the cause of labour" by the most militant members, for advocating the ending of the ban. Hughes however used the argument that the return to work was essential "since it was a matter that affected the whole federation". This tactic was successful and the meeting voted 100 to 13 in favour of his proposal. The payment of the levy to the W.W.F. was a more difficult problem. A member named Atkins said that "£675 was a dear price to pay for arbitration". Hughes retorted that "no union on earth was worked as cheap as this union and he would give £30 to $\frac{1}{2}$ d. if they could show him where a strike was ever won for 3/- a member". The member, Atkins, who had called Hughes a traitor then asked whether it was a fact that Hughes was to receive £30 a day for his work in the court. Hughes replied that "he did not think any member could believe that he would fleece the society of £30 a day". He did not reveal how much he did indeed receive. The debate and the

voting - 29 were in favour of paying the levy, 78 were against - revealed that the members thought the Federation should be able to manage "without drawing on the funds of the Branches".

Hughes thereupon read out two rules of the Federation's constitution which made it incumbent upon branches to obey C.O.M. decisions in regard to finance. The chairman ruled that the money should be paid, remarking "had he had a copy of the Federation rules earlier in the evening, a lot of time and discussion could have been saved".³⁶

More opposition to arbitration was voiced in the S.W.L.U. throughout all the meetings in April. A resolution was carried to pay overtime rates to the caretaker of the S.W.L.U.'s meeting room. The militant minority thereupon moved for an alteration to the rules which would lower the salaries of the branch officials. Mr. Atkins said that

when officials were paid more money than the rank and file, they did not take the same interest in the welfare of the Union or its members and that Mr. Woods was not acting in the interests of the Society when he advocated the Union going into the Arbitration Court.

36. S.W.L.U. Minutes 1 April 1914

E. Kelly came to the rescue of J. Woods, remarking that

it was a curious position when a resolution had just been carried to augment one of the officers' wages and now we are asked to reduce some of the others and that it was the worst form of scabbery when any member was prepared to cut down the wages of the officials.

One of the militants replied that "this was his only way to voice his views against the Arbitration Court and that the wages of officials should rise and fall with the wage of the members". The motion to lower the officials' wages was rejected almost unanimously, as were other resolutions sponsored by the same group over the next weeks. But the hostility to arbitration, and to the W.W.F. and to the branch officials took some time to peter out. One member, having been barred from meetings for unseemly conduct, threw stones at the president in the street. The award, however, was favourably received, and the W.W.F.'s proposals for changing the amount of the fees and the constitution were accepted.³⁷

The militants in the S.W.L.U. were in reality opponents of the capitalist system because they were Socialist or I.W.W.

37. S.W.L.U. Minutes 8,15,22, 29 April; 6 May 1914

members; but at this time they constituted a very small threat to the leadership of the W.W.F. or the Sydney branch. A greater threat to industrial peace came from the ordinary rank-and-file member who disliked the limitations of the Higgins award as it affected him personally. The rate for special cargoes was soon a matter of dispute in Sydney. Interstate owners now paying the extra rate for general cargo were averse to agreeing to a higher rate for special cargoes, even where a higher rate had been customary before the award was made. The C.O.M. sent constant reminders to the branch that any disagreement had to be sent to it to be settled. Nothing should be done to upset the award in the individual ports. Sydney's restlessness was not unique. The men in Queensland did not feel fairly treated over the flat rate made by Higgins for tropical ports. Mackay's secretary sent a telegram to the C.O.M. after it had insisted that there should be no cessation of work when negotiations with employers in that port had broken down:

ARE THE COUNCIL SELLING US ³⁸

While the branches, albeit grudgingly, obeyed the C.O.M.'s

38. C.O.M. Minutes, 26 June; 24 July 1914

injunctions to keep the industrial peace, the C.O.M. busied itself making applications to the court concerning disputed points in the award. The employers made three applications, the W.W.F. twelve, between the granting of the award of 1914 and the beginning of the hearing by Higgins of the second part of the log of claims in July 1915. In five cases Justice Powers did not find it necessary to make an order since the employers agreed to the wharf labourers' demands as soon as the C.O.M. put the matters in the Court's hands. In five other cases the judge found in favour of the union. Only in one case was a penalty imposed by the Court against a branch, in Western Australia. There the members' demands went against the spirit of the award, said Higgins.³⁹

The W.W.F. was obviously committed to arbitration. Equally obvious were the benefits to the W.W.F. of this new way of life, when money was not lost through stoppages of work, and gains were made by leaving everything to the management of the union. Arbitration itself was, of course, an expensive business; the

39. 8 C.A.R. 26 May 1914 to 11 December 1914 (Power J.) and
 9 C.A.R. 28 May 1915 (Higgins J.)

1915 award was to cost over 5/- per head for every member of the Federation. Since this came out of union funds, members who did not attend meetings were not conscious in any way of the expense, a matter of about £1,000 to the S.W.L.U.⁴⁰

The second part of the W.W.F.'s log of claims came before Justice Higgins in July 1915 as an application for a variation of the 1914 awards. Hughes was able to leave all the arrangements to the C.O.M. and the federation lawyers. J. Morris, who had acted with Hughes in the 1914 case, was well able to shoulder responsibility while Hughes busied himself with his political activities. It was not necessary for the C.O.M. to meet more than once monthly and Hughes did not attend any of the meetings between June and November. At the latter he received congratulations on having become Prime Minister of Australia, to which he replied, "Of all the congratulations received he regarded those of the W.W.F. with the greatest esteem".⁴¹

Finding a solution to the problems contained in the rest of the W.W.F. log was a more difficult task for Higgins than

40. S.W.L.U. Minutes 27 October 1915

41. C.O.M. Minutes 16 November 1915

fixing the minimum hourly rate of pay. As with wages, he wanted the conditions of the labourers to reflect his notions about the dignity of the worker. "No employer is entitled to purchase by wages the right to endanger life or to treat men as pigs" he believed.⁴² But the balanced liberalism of his theories would not allow him to harm the shipowners by accepting all the points of the W.W.F. log of claims, nor their implications that the shipowners must pay extra for everything that was more arduous or more unpleasant than the average.

The President remarked:

It is safe to say that the work of a wharf labourer, all of it is hard and rough; how hard and rough none but those who have watched closely the loading and discharging of vessels can properly appreciate. But it is impossible for the Court...to express the relative hardship in terms of money. Nor in my opinion is hardship or discomfort a proper basis for an increased minimum wage...Political economists such as J.S. Mill had pointed out that dirty and unpleasant occupations do not usually involve higher wages...A labourer is a labourer.

Higgins did not approve of the practice which had grown up since the New South Wales Arbitration Court had, in 1902, granted an extra 3d. to men working on frozen cargoes. The

42. H.B. Higgins, op.cit., p. 10

union was now claiming a list of some thirty special cargoes, and the grounds on which the special rates were claimed seemed to the judge "as numerous and as varied as the well-known excuses for drinking beer". He decided that when local agreements had been made for specific cases they could stand but he would not make an award to cover the cases the W.W.F. claimed. Men could not be forced to do work they did not wish to do. Refusal to begin a task did not constitute a strike.

The liberty of the individual man to accept or to refuse work offered at the wages and on the conditions offered, remains as before the Act; the minimum wage is a restraint on the employer, not a restraint on the employee; and if the stevedore finds that he cannot get a man to work for the minimum wage at an unpleasant cargo, he may have to offer him something higher...The men will have to bear in mind the provisions of any agreement for preference, and the possibility of the employer looking for non-union labour. 43.

"It is all a matter of contract" he said when a further plea was made on behalf of wheat men.⁴⁴ And this statement was to be used to good effect from then on by the W.W.F.

Higgins declared:

As far as possible I must leave each employer free.

43. 1915 C.A.R. Vol. 9, pp. 302-306

44. Ibid., p. 315

to carry on his own business on his own system. But this principle of the Court's action must be qualified when it is clearly shown that the method of working adopted involves undue pressure on human life, and thereby endangers industrial peace.

Using this approach he fixed maximum weights that the labourers could carry or push in a trolley; but he would not set a limit on weights where mechanical gear was involved; nor would he allow prescribed numbers of men in holds or on particular cargoes.⁴⁵ Where there was agreement between the owner and the union he was happy to record it. Thus meal hours were fixed; the week's work was put at 44 hours, after which overtime could be paid; the length of a shift could not exceed 12 hours. He would not make a rule about the use of constant hands, which pleased the employer; on the other hand he gave the union preference over sailor labour as winchmen and hatchmen, which pleased the W.W.F.

In the five months of hearing evidence from both sides, Higgins had come to the conclusion that it was impossible to fix even a common minimum standard for most of the conditions claimed

45. Ibid., pp. 305-309

by the W.W.F. There were too many local agreements in existence and he believed they should stand, and that the method of agreement by conference should continue. He expressed his satisfaction that the W.W.F. had kept its promise regarding the keeping of the peace and was confident that it would do so in future.

I can treat this as a strong, responsible and honorable union (he said) and feel justified in reposing in it more powers and discretions than I would repose in a union whose attitude and character have supplied reasons for distrust. 46

Higgins had declared himself astonished at the union's claim of 10/- per hour as the rate for Sunday and the other "sacred days of Christendom" and refused the extra rate. Both the minimum and penalty rates, however, satisfied most W.W.F. members. A comparison of their log of claims with the variations of the 1914 award made by the Court and delivered on 13 December 1915 will show that the W.W.F. had cause for much satisfaction at the outcome.⁴⁷

46. Ibid., p. 296

47. See Appendix VI1

No doors were closed to the union on the possibility of achieving further gains by conference. On the contrary the Court expected this:

The case is authority for the proposition that industrial regulation, in its Australian practice, far from involving the total elimination of the rights of the parties to negotiate as to rates of remuneration, merely restricts the scope of that negotiation by the obligation, or restraint, of a minimum wage. 48

The 1914 award and the December 1915 variations furthered the confidence of the W.W.F. in Commonwealth arbitration. Those rank-and-file members who had earlier been influenced by opposition to the arbitration system per se, turned happily to enjoy the benefits bestowed by Higgins. The wage awards had been made before the First World War commenced; the variations were made at a time when support for the war was very strong amongst wharf labourers. In 1916 there were few strikes on the waterfront. There were arguments about the interpretation of the award, there were sectional disputes, mostly about the rates for special cargoes. These disputes were settled by reference to the Court when not settled by the Boards of

48. O.de R.Foenander, Studies in Australian Labour Law and Relations, Melbourne, 1952, p. 56

Reference. At times the owners submitted under duress. The relations between the shipowners and the W.W.F. were not as harmonious as Hughes and the C.O.M. would have wished. But under the umbrella of the Commonwealth Arbitration Court the two parties remained in partnership until, in 1917, the wharf labourers became embroiled in a dispute extending far beyond the waterfront.

The relationships of branch and W.W.F. leadership underwent further development as a result of the Commonwealth agreements. In the early years of the W.W.F., branch leaders had continued to enjoy the power engendered by complete branch autonomy. With the growth of the annual conference structure, branch officials began taking on the role of W.W.F. leaders and shapers of W.W.F. policy. This was particularly marked at the 1913 and 1914 conferences. There was no conference in 1915 because of the W.W.F. involvement in the Commonwealth Arbitration Court. But this involvement had somewhat the same effect as participation in a conference. After the award was

completed the branch leaders had the responsibility of carrying out the undertakings given by the C.O.M. to Higgins as part of the 1914-1915 agreements. There was therefore a growing fusion of branch-W.W.F. leadership.

By accepting the awards, the branches surrendered their autonomy in the most important area of wage and condition determination. They sealed the understanding that there was to be obedience to the C.O.M., the body which made policy and decisions between annual conferences. The strengthening brought about by the growing importance of branch leaders paradoxically weakened the branches of the Federation. The membership no longer had a free hand in the making of decisions concerning their wages and conditions. The decisions had to be authorised by the branch leaders in conformity with C.O.M. policy. A direct result during 1914 and 1915 was a falling-off in attendance at the weekly branch meetings. The membership of the W.W.F. continued to rise but the S.W.L.U. could no longer count on obtaining a quorum at its meetings. The decisions of the W.W.F. conference in 1914, dealing in the

main with the revision of the W.W.F. constitution, could not be discussed at a meeting until January 1915. When the 1915 judgement was brought down, Sydney wharf labourers read about it in the daily press. There was no enthusiastic discussion about it at the union meetings. Three meetings in December 1915 were cancelled through the lack of a quorum.

Commonwealth arbitration therefore seemed to further the process of putting power into the hands of those at the head of the union. It had the effect also of soothing discontent amongst those members who had, before the award, tended to agree with the militants who advocated direct action instead of arbitration. Attendance at meetings did not seem to be as necessary as before the award was made. The branch officials, in conjunction with the C.O.M., could be trusted to do all that was necessary regarding the employers and the Commonwealth court.

The C.O.M. had been strengthened by adding an assistant secretary, Cremer, of the Melbourne branch, to aid Morris. But the majority of its membership was still made up of the same

politicians, except for Fisher who had departed for London. W.W.F. President Hughes was now Prime Minister of a nation involved in war. The C.O.M. continued to act as before the war and before the award. Hughes could rely on Morris, Cremer, and the politicians who attended the C.O.M. meetings to carry out his policies when he could not attend the meetings himself. In the last few months of 1916, however, a dramatic change occurred. The membership then decided, on the initiative of the S.W.L.U. and through its annual conference, to rid itself permanently of all politicians, Hughes included.

CHAPTER EIGHT

IDEOLOGIES OF THE WHARF LABOURERS 1899-1914

When Hughes took on the responsibility of the S.W.L.U. it had a tradition of strong militancy. The wharf labourers were militant not only in those industrial matters which directly concerned the waterfront but also in support of other unions.

In politics however the majority of wharf labourers were more conservative. They supported the Labor Party without becoming involved in the controversies of the 1890s over the fiscal issue or the caucus pledge. Representatives were regularly sent to the annual Political Labor League conferences but matters discussed at the conferences rarely evoked interest. The circumstances of the Maritime Strike of 1890, and their aftermath of victimisation of unionists, caused bitter distrust and hatred of the shipowners and "capitalist" politicians. But the majority supported the reformist policies of Labor politicians, rather than the radical notions of socialists

whose object was to do away with the capitalist system by means of general strike and revolution. Those wharf labourer leaders like Ramsay McKillop, who wanted to establish worker co-operatives to compete with individual capitalists, gave way to unionists who had the same pragmatic political attitudes as Hughes. Hughes had left the Socialist League some years before he became the leader of the S.W.L.U., but still advocated a type of socialism. Capitalism would ultimately perish because political Labor would legislate it out of existence. Labor's increasing successes in state and federal elections, added to Hughes's own plausibility, caused the majority of S.W.L.U. members to trust Labor in general and Hughes in particular. Hughes's confident belief that he had no need to fear radical political opposition in the S.W.L.U. was quite a valid one until September 1916.

Trade union militancy was much more difficult to control. For a time it could be tempered by the expectation of rewards for good behaviour in the arbitration court. When complete

disillusionment in the New South Wales court was imminent, Hughes was able to promise greater rewards from the Commonwealth court. The S.W.L.U. showed quite clearly in 1901 that it preferred Labor policies to those of non-Labor socialists. When Hughes was criticised by Harry Holland, militant socialist and leader at the time of the Tailoresses' Union, the wharf labourers unanimously declared their faith in Hughes and ejected Holland from their meeting. From then on the Sydney socialist group was viewed with suspicion, doubly so while Holland was connected with it.

While Hughes was moving from success to success in the trade union and political movements, the socialists were weak and divided. Recovery of the latter took place in 1906. In 1907 the Industrial Workers of the World formed a group in Sydney; from then on both groups, socialist and I.W.W., tried to win the wharf labourers to their views. They had little success. The S.W.L.U. maintained in general a solid support for official P.L.L. policies and resisted efforts from within and without the union to follow the industrial or political

tactics of the socialists or the I.W.W.

The S.W.L.U. disagreed with the two radical groups both in their aims and their methods. At a unitary conference of Australian socialist groups, held in Sydney in 1906, a combined Socialist Federation was formed. It adopted the preamble of the I.W.W. which began with the assertion that the working class and the employing class had nothing in common, and concluded with the admonition that an injury to one was an injury to all. Harry Holland was elected secretary of the Socialist Federation and was as well the editor of its journal the International Socialist Review which became the vehicle for socialist propaganda. Holland attacked the arbitration system and advocated the use of the strike weapon, condemning the S.W.L.U. for supporting the former and neglecting the use of the latter. Holland wanted the replacement of the capitalist state by a socialist commonwealth, using the instrument of one big revolutionary union which would vote capitalism out of existence.¹ The Sydney wharf

1. P. O'Farrell, Harry Holland p. 24

labourers' sense of independence was so strong that they showed reluctance to join the W.W.F. and certainly would not consider casting in their lot with unions outside the waterfront, particularly if the unions were not involved with transport. The Socialists stood candidates against Labor members, both in the state and federal elections.² As the electorates included those where wharf labourers lived, the affront seemed the greater to the members of the S.W.L.U.

The I.W.W. and the Socialists shared the same broad aim, the replacing of capitalism by socialism. But whereas Socialists envisaged a socialist state, the I.W.W. condemned the notion of a political state altogether. Socialists actively engaged in electioneering in the hope of advancing their cause by winning positions in parliament. The I.W.W. despised such methods, preferring direct action by workers; "a kick on the job was worth ten at the ballot box" they declared.³ As for the trade unions, while the Socialists aimed at capturing control of the trade union movement by

2. Ibid. p. 26

3. Direct Action 1 May 1914

"boring from within...the I.W.W. regarded craft unionism as merely another organ of capitalism. Hence their policy was to Smash from Without".⁴ Like the Socialists the I.W.W. despised arbitration and preached direct action. Direct action engendered comradeship, promoted class consciousness, educated the proletariat while hurting the capitalists. The I.W.W. favoured short disputes and irritation tactics rather than major strikes. Ultimately, when all workers had joined the I.W.W., a general strike would result in the collapse of capitalism.⁵ The general strike was a culminating point and not a matter to be undertaken lightly. Both Socialists and I.W.W. wanted a union of all workers but whereas Socialists were prepared to admit unions of craft workers, the I.W.W. wanted only genuine wage-slaves. When radicals in the Labor Council finally won support for the idea of one big union, the I.W.W. condemned the plan as an "abortion conglomeration, a concoction invented by the Trades Hall".⁶ The I.W.W. was far more extreme in all its socialist notions of aims.

4. P.J. Rushton, 'Revolutionary Ideology of the I.W.W.' in Australia in Historical Studies October 1972 p. 437
5. I. Turner, Industrial Labour and Politics p.61
6. Direct Action 30 September 1916

and methods than were the Socialists. It was also extreme in its hatred of anything or anyone that would seem to aid rather than harm the capitalist state. International in its outlook, it despised all "tinkers of capitalism". Trade union officials, patriots and politicians were all tinkers. Hughes was the arch tinker.

Since both the Socialists and the I.W.W. frequently singled out the S.W.L.U. for criticism of its policies and leaders, it is not surprising that the exponents of radical socialism made little headway amongst the majority of wharf labourers. It is impossible to state how many radical adherents there were on the waterfront in the period of Hughes's leadership. On the occasions when the S.W.L.U. was asked to consider propositions emanating from either body, there was little or no support shown, indicating that if there was more than a handful of radicals on the waterfront they either did not attend meetings of the union or, if in attendance, they hesitated to express their views in the face of a hostile

majority.

If Holland had followers in the S.W.L.U. he did nothing to smooth their path. In 1907 the S.W.L.U. supported the Coal Lumpers in a strike for better wages. It did not itself take strike action as part of its support, and when it notified the W.W.F. of a wish to do so, the union was reminded by J. Morris of its obligations concerning arbitration. During May, President Kelly complained that "Holland was scandalising him all around the place". In July the International Socialist Society called the S.W.L.U. "nothing but blacklegs for refusing to strike in aid of the coal lumpers". This had been said at the Sydney Domain "to a large crowd of people". Holland and the Socialists continued their attacks on the union and in November the president and secretary were instructed unanimously by the S.W.L.U. "to refute the scandalous statements in the Domain...The privileges and the support of the union were granted to refute any slanderous statements now and on every other occasion".⁷

7. S.W.L.U. Minutes 8 May, 3 and 17 July, 13 November 1907

The strike ended in July, with the coal lumpers winning most of their demands, a success which most observers attributed to the Sydney Labor Council and W.M. Hughes.⁸ Holland and his colleagues however considered the victory to be the result of aid from themselves. Their journal continued to vilify Kelly, Harrison and Hughes in the months that followed for preventing the S.W.L.U. from stopping work in support of the coal lumpers.

In the New South Wales state elections of 1907 Holland stood as an International Socialist against W.M. Daley, the sitting Labor member; J. Norton also stood, as an independent. Holland concentrated most of his scathing abuse on Daley, reserving some for Hughes, Kelly and any other Labor speakers on Daley's platform. Norton was referred to as "Mr. Norton" and received no criticism in the socialist journal. Norton won Darling Harbour, a working class electorate, with 1666 votes, Daley receiving 1146 and Holland 746.⁹ Daley's loss

8. P. O'Farrell op. cit., p.23

9. International Socialist Review 20 July, 7 and 14 September 1907

of prestige in 1907 has already been described; his suspension from the legal profession would not have aided him in the poll; nor would Holland's accusations that he was an "enemy of labour". The lack of criticism of Norton must also be considered as one of the factors in Daley's defeat.

The Socialists' journal continued to direct more venom against the Labor Party and its members than against Labor's opponents, a phenomenon which can still be observed today in some of the radical press. In October Senator Turley and J. Watson were criticised for attending the eight-hour day banquet "in the company of enemies of labour". Kelly was denounced again in November as "a hanger-on who sells his union to the boss in times of strike". Kelly and Harrison, said Holland, had "deliberately handed control of the S.W.L.U. over to the Employers' Association" by advocating arbitration. Kelly had proved himself to be an "enemy of unionism" because he had attacked the I.W.W. as well as the Socialists in the Labor Council.¹⁰ When reporting the hearing of Kelly's libel action against Norton in December it was again "Mr. Norton",

10. Ibid., 12, 19 October; 9, 23 November 1907

and Kelly was reviled as the villain of the piece.¹¹ As for the W.W.F., it had been "completely captured by the bourgeois politicians Hughes, Bamford, de Largie, Turley, Poynton and Fisher", said the socialist journal.¹² In view of the tone of Holland's expressions it is not surprising that Hughes and the moderate majority of the S.W.L.U. should have viewed their radical opponents with suspicion and dislike.

The Socialist and I.W.W. groupings in Sydney each had a champion on the waterfront. T. McCristal was the wharf labourer who for some years acted as spokesman for socialism in S.W.L.U. meetings. G. McNeill was the leading exponent of I.W.W. ideas in the union. Neither was a leader in his own political body; nor were their actions always consistent with the published policies of their groups. But they attended S.W.L.U. meetings consistently and attempted assiduously to promote their political principles, persevering in the face of continued opposition. Each began to express his ideas

11. Ibid., 21 December 1907

12. Ibid., 24 December 1910

at meetings of the S.W.L.U. in 1908. G. McNeill asked for permission to address the wharf labourers on the subject of the I.W.W. He had only two supporters and his request was refused. McCristal stood as an Independent in the senate elections of 1908 (as a member of the International Socialists he should have stood in their name). He was allowed to outline his policy at a meeting of the S.W.L.U. but received no support.¹³

When the Broken Hill miners went on strike in 1909 the S.W.L.U. decided at a special meeting in January to donate £250. A month later another £100 was voted for the "locked-out miners". In all, nearly £500 was donated, but the union made it clear that it was endorsing the strikers and not the socialism of some of their leaders. It

viewed with pleasure the hostile reception accorded to the vote-splitter and disturber of industrial peace, Harry Holland, whose sole object in life appears to be robbing selected Labor candidates of votes in State and Federal constituencies. 14

Nor would the S.W.L.U. join in any of the International Socialist campaigns for the release of those Broken Hill men

13. S.W.L.U. Minutes 30 September, 21 October 1908

14. Ibid., 15 January, 24 February, 3 March, 28 April, 30 June 1909

who were gaoled, though they joined in deputations organised by the Labor Council and the Broken Hill unions.¹⁵

Support on the waterfront for T. McCristal and for his policies waxed and waned in inverse proportion to the popularity of the moderate Labor leadership of the union; the majority of the membership, neither interested in politics nor specifically attached to policies, tended to use their leaders as scapegoats for dissatisfaction. As has been shown, the non-militant policy which Hughes adopted towards the coal miners' strike at the end of 1909 and the beginning of 1910 displeased the S.W.L.U. Wade's Industrial Disputes Act of 1910 and the Wages Board established concurrently, were viewed with revulsion by all the members of the union.¹⁶ In its annual union elections the S.W.L.U. conducted a secret ballot. The number voting in 1910 was less than usual; less than 25 percent of the membership took the trouble to vote. The Socialist McCristal defeated Kelly and four other candidates. The announcement was greeted with charges of corruption and

CHAP. V. THE S.W.L.U.

15. Ibid., 15 September 1909

16. See Chapter 5

canvassing, the latter being contrary to the rules of the union. McCristal did not keep the position long. ~~He~~ indiscreetly published in the press some charges against the financial secretary Harrison, of alleged discrepancies in the 1908 accounts. At the same time he was the subject of complaint from the Labor Council, in that he had as president of the S.W.L.U. publicly supported a Socialist candidate in the electorate of Belmore against the endorsed Labor Party candidate. A special meeting was called to discuss McCristal's resignation and, after only six weeks in office, he had to vacate the position; the voting was 187 for his resignation, 160 against. In the new election Hillyer, who had previously polled poorly, was supported by those radicals who had earlier favoured McCristal, and narrowly defeated Kelly. It was not until 1914 that Kelly was able to win the position from Hillyer. McCristal, on the other hand, although he too stood regularly in the elections for officers, did not have sufficient support

amongst the members until 1916. He was also a candidate in the elections for delegates to the Political Labor League annual conferences, at which the S.W.L.U. was always represented; but not once did he receive sufficient votes to be one of the three delegates.¹⁷

Support for McCristal at meetings of the union was negligible after 1910. In 1911 the S.W.L.U. refused his request to hear Blumenthal, a visiting International Socialist. There was a great deal of unemployment in 1912 and five hundred wharf labourers, in one month, could not get work. McCristal organised a group of socialists to form a band which he wanted employed by the union in the eight-hour demonstration. But the S.W.L.U. consigned his written requests on this and other matters to the waste paper basket - the action they reserved for occasions on which they wanted to show the utmost contempt. Undeterred, McCristal persevered. Twice in 1913 he moved that the union should adopt a socialist objective: "the establishment of an Australian republic and the ultimate

17. S.W.L.U. Minutes 6 July, 3 and 24 August, 21 September, 1910; 8 July 1914; 12 July 1916

emancipation of Labour by the abolition of the wages system and the establishment of a co-operative commonwealth". The proposals were defeated almost unanimously.

There were some occasions when political action proposed by the moderates in the union received the support of the radicals. The most significant of these was the S.W.L.U.'s unanimous opposition in 1912 to compulsory military training. It was decided to publicise the resolution of "strong protest against the compulsory military training clauses of the Commonwealth Act".¹⁸ The S.W.L.U.'s attitude to compulsory military training was at variance with Hughes's enthusiasm for it, and was to become a matter of profound importance for the relationship between Hughes and the union.

The leader of the I.W.W. on the waterfront, G. McNeill, excited less attention in the S.W.L.U. than did McCristal the Socialist in the prewar years. McNeill attended union meetings and sometimes participated in the framing of resolutions concerning claims on the shipowners. Since these claims had

18. Ibid., 30 August 1911, 8 May, 23 October 1912

to be discussed with the employers, McNeill was not adhering to the dictum contained in the I.W.W. preamble that the working class had nothing to do with the employing class. His followers on the waterfront, so far as they can be detected from the union records, mostly preferred action away from the union meetings. Of those who did attend, T. Hughes was described by J. Woods as a blackleg because he had expressed dislike for unionists. A. Atkins was prominent in anti-arbitration resolutions and wanted the S.W.L.U. to brand W.M. Hughes as a traitor to the cause of labour for appearing in the Commonwealth court on behalf of the W.W.F. Atkins also wanted to decrease the wages of the officials to the level of the rank-and-file. Two members named Mills were usually fined when they attended meetings, for swearing while opposing moderate resolutions, or for drunkenness or for damaging property. P. McClune, another opponent of arbitration, was fined for bad language and for throwing stones at the president in the street. T. Barker, the leader of the I.W.W. in Sydney, admitted that no bar was placed in the way of anyone wishing

to join the I.W.W. and the organisation did collect some members who made doubtful allies.¹⁹ So long as the applicant was a "wage-slave" the I.W.W. accepted him. The I.W.W.'s dislike of coercion and centralised control meant that there was no disciplining of members' behaviour. With the exception of McNeill however, the supporters of the I.W.W. did not make a practice of attending meetings regularly, so that any letters from the Sydney I.W.W. body requesting action on behalf of victimised members in America or Australia were usually overwhelmingly rejected.

W.M. Hughes tended to describe all radicals who wanted direct action instead of arbitration as "irreconcilables", "wild extremists belonging to the I.W.W." He did this during the 1909 miners' strike and in the New Zealand wharf labourers' dispute at the end of 1913. Until the formation of the Australian Communist Party in September 1920 the I.W.W. was the "red bogey", a convenient label to be used by politicians or press to describe any person or policies apparently posing

19. E. Fry (Ed.) Tom Barker and the I.W.W., Canberra, 1965
pp. 21, 22

opposition to those usually found acceptable. The Evening News used the umbrella technique when it described the rules which were decided upon by the S.W.L.U. concerning their conditions in the latter part of 1913. The rules included a limit of three bags of any goods, including chaff, to be trucked by any one of its members. The newspaper reported:

This was agreed upon at a small meeting of red-flaggers who have been the source of endless worry to the union officers. Having being carried the members of the union had to carry the motion into effect although many of them laughed at the absurdity of it. The shipowners protested...Matters came to a standstill this morning... Inspired by their I.W.W. leaders the men refused to carry 4 bags at a time on two ships though general cargo was handled...Attendance at recent meetings has been lamentable. Even at special meetings only 70 out of 5000 members attended. These were mostly the friends of the I.W.W. clientele...The leaders of the aggressive party are Messrs. McCristal and T. Hughes...there is a strong feeling to throw these socialistic gentlemen out of the union. 20

It was the moderate E. Kelly who moved the resolution that the Evening News considered inspired by the I.W.W. The 1913 W.W.F. conference included the three-bag limit in its log of claims. In December 1915 Mr. Justice Higgins used the same limit for most bagged cargoes, though for chaff he declared

20. Evening News 9 September 1913

a four-bag limit. The limitation claim was therefore not such an "absurdity".

During the week of the chaff bag dispute the press reported

Nearly everybody is tired of the I.W.W. business and would be glad if the union was rid of the agitators... Two of the leaders are trying to get away to sea... they spend half their time at sea stirring up trouble and the other half on the waterfront. 21

The dispute became the subject of a Wages Board hearing and the union agreed to order a return to work with a limit of four bags and a weight not exceeding six hundredweight per truck, this being a defeat more for the employers than for the union. Some revealing statements concerning their political philosophies were made by the witnesses subpoenaed by the board. Hillyer denied membership of the I.W.W. or the International Socialists, although he admitted having belonged to the latter several years earlier. Though a member, and the president, of the S.W.L.U., he had left the waterfront in 1909 and had become a linesman, and was a member of the Linesmen's Union. He believed in natural and not man-

21. Ibid., 10 September 1913

made laws, and believed in keeping agreements only when they were "suitable". McCristal expounded his views about a commonwealth co-operative republic, saying "Wharf labourers were more wealth producers than the shipping company shareholders who walk about town smoking big cigars and doing nothing". He felt that agreements should be kept until altered. T. Hughes said that he did not believe in strikes or lock-outs or arbitration, only in conference. Kelly and Woods both indicated opposition to the views of the other three but stood staunchly by the union claims.²²

One consequence of the chaff bag affair was that McCristal brought a libel action against the Evening News for the allegations made concerning his political activities. When the case was heard in April 1914 a verdict was given against him. His request that the S.W.L.U. should pay the expenses of his action was supported by T. Hughes and a mere handful of other members. A large majority rejected his plea that his case was similar to that of Kelly in 1907. McCristal continued

²². Ibid., 11, 15, 16 September 1913

to put forward his beliefs. He attacked the branch leaders, particularly Secretary Woods in respect to Commonwealth arbitration. He attacked Hughes and the whole arbitration system. The union rebuked him at a special meeting for his printed attacks on Woods. He polled poorly when he stood against Woods for the position of Financial Secretary. Finally he was charged in a court of law and found guilty of issuing a leaflet, against arbitration, which did not contain the name of the printer. He was fined £20 for the offence.

On this matter the union was not divided. Rejection of McCristal's socialism was one thing. The fining of one of their members by an authority outside the union was another thing altogether. The S.W.L.U. unanimously agreed that the Minister for Justice should be requested to remit the fine. In view of the fact that McCristal had enlisted as soon as war was declared and had departed with the army overseas, the Minister agreed to the union request.²³

23. S.W.L.U. Minutes 22, 29 April; 17 June; 8,15 July;
26 August 1914

Support for the New Zealand wharf labourers in their dispute at the end of 1913 was apparent amongst all sections of the Sydney waterfront regardless of politics; because a trade union principle seemed to be at stake. Tom Barker, the I.W.W. leader, was active amongst the New Zealand unionists and the S.W.L.U.'s support pleased the I.W.W.²⁴ W.M.Hughes was not correct however in branding those who refused to handle black cargo from New Zealand ships as "a handful of irreconcilables". J. Woods spoke for moderates and radicals alike when he said "Their fight is our fight".²⁵

Sharp differences of opinion were obvious however early in 1914, when the question of arbitration versus direct action arose in the campaign concerning the W.W.F. log of claims. The W.W.F.'s call for a ban on overtime was readily endorsed and was particularly gratifying to the I.W.W. When the W.W.F. wanted to end the ban, the I.W.W. found strong support for their proposal to continue the tactic. The refusal of the shipowners to negotiate exacerbated the wharf labourers' traditional distrust of their employers. Even moderates like Kelly at first joined in resistance to the W.W.F.'s call for

24. E. Fry op. cit., p. 21

25. Sydney Morning Herald 7 November 1913

complete obedience. Woods described the strength of radical feeling.

The I.W.W. are fighting me everywhere I go but they have no chance with me. I blow off and call them everything. The meeting we had in the Town Hall was the worst I ever seen. I got down amongst them and stopped them. I nearly got hit myself and had to duck. They had men bluffed with their bounce that half the men walked out and where the count was taken there was not 2000 present. Seeing how things were I engineered a ballot with the result we won. The I.W.W.s are very sore they had put a notice of motion to reduce our salaries...a good proposition from men who claim to be the only unionists. 26

The influence of the I.W.W. propaganda against arbitration was successful for a short time only. McCristal had enjoyed brief support; to the disgust of the moderates, the S.W.L.U. elected him as one of the committee to confer with the owners during the hearing of the case.²⁷ When the announcement was made that 1/9 per hour was to be awarded the irreconcilables were isolated. The majority of members were pleased with the results of their first Commonwealth award. All sections relished the battle for payments for special cargoes. For over two years after the first Commonwealth

26. W.W.F. Correspondence with Branches, Woods to Morris, 13 March 1914

27. Ibid., O'Meara to Hughes 11 March 1914

award the S.W.L.U. was obedient to the rule of the W.W.F. and the arbitration court. The political temper of the union was displayed in its election of Kelly once more as president in June 1914, a position he was to retain until his death. Hillyer had been discredited as a result of the publicising in 1913 of his past connections with the Socialists and his lack of connection with the waterfront. The holding of more than one union ticket was a common enough practice, allowed by the union.²⁸ Kelly had been accused in 1907 by Holland of belonging to more than one union, and had not denied the charge because it was correct. Many wharf labourers would ship as seamen for an occasional voyage if there was a coincidence of lack of work on the wharves and a need for labour on the ships. But in general the multiple ticket holders, including Kelly, spent most of their working time on the waterfront.

The I.W.W. group, led by McNeill, tried in 1913 to introduce a rule which would exclude Hughes from office in the union. This was rejected by a large majority. McNeill

28. The practice was not ended by the union until 1942.

persisted with a resolution which would make eligibility for office conditional on the performance of at least two years' work on the waterfront prior to the election. Full-time positions, such as financial secretary and vigilant officer were excepted. The moderate majority insisted on the excepting of W.M. Hughes also and the resolution was finally carried.²⁹ Hillyer, as president, did not rule out his own nomination but he was heavily defeated by Kelly. McNeill the I.W.W. leader was another defeated nominee.

In the years before 1914 the S.W.L.U. had not formulated a specific political creed; but the incidents described give in fact a practical formulation of the political beliefs of the majority. While its ideology was not expressed in words it was clearly expressed in action. It rejected people and policies aiming for a revolutionary overthrow of capitalism. It could usually be persuaded to reject propaganda favouring direct action in industrial relations. So while the S.W.L.U. clung to the notion of traditional militancy, in practice it was prepared to sacrifice the tradition for political and economic gain. Refraining from direct action had brought substantial rewards. The membership was content with the

29. S.W.L.U. Minutes 23 May 1913

1/9 per hour and the expectation of more from the bargaining over special cargoes.

It is not surprising that when war was declared in August 1914 the S.W.L.U.'s elected officers were all 'good Labor men'. Both forms of radicalism, the Socialist and the I.W.W., were rejected. McCristal, the main spokesman for the former, put his internationalism behind him and enlisted in the army. McNeill's I.W.W. ideas went unheard or unheeded, and on the waterfront there was acclamation for the war, for the Commonwealth award, and for Hughes as union and Labor leader.

CHAPTER NINE
THE WHARF LABOURERS AND THE CONSCRIPTION
ISSUE 1916

Hughes's decision in 1916 to attempt the introduction of conscription of manpower for war service outside Australia led to the severance of his connections with the Labor Party and the trade union movement. He was expelled by the New South Wales Labor Party and by the Sydney Wharf Labourers' Union. At the federal level Hughes, who had led his party for only twelve months, removed himself and his parliamentary supporters from that party; and with his fellow-politicians he was eased out of the W.W.F., which he had founded and led for fourteen years. As a result of the conscription issue the Labor Party was split, the W.W.F. unified.

The myths that have developed about the matter include the notion that the labour movement whole-heartedly supported the

anti-conscription side. It has been averred that "the rejection of conscription by trade unions went a long way to spelling the doom of the Hughes proposals".¹ In fact the trade union movement was as divided on the issue as the rest of the community and the wharf labourers in particular joined in the anti-conscription campaign only two months before the day of voting. Hughes was expelled from the union only four weeks before that date and the wharf labourers, who were divided on the question of his dismissal from the union, took that action after he had been expelled by the Political Labor League. If the defeat of the October 1916 referendum was, in L.C. Jauncey's words "a significant victory in a democratic experiment never before attempted in a modern democracy",² the wharf labourers' contribution to that victory was small and belated.

Labour historians have tended to make generalisations similar to those of Jauncey in regard to the trade union movement's opposition to conscription. V.G. Childe, an

1. L.C. Jauncey, The Story of Conscription in Australia, Melbourne 1965 p.220

2. Ibid., p. 217

observer of the anti-conscription movement, saw the issue as a detonator in a situation already made explosive for the workers by their fear of losing trade union rights and "the tendency of Ministers to go slow on reform".³ R. Gollan also sees a labour fear of jeopardising hard-won achievements; this fear, he says, "would not have been so compelling had there been unqualified support for the war".⁴ I. Turner emphasises the economic difficulties of the workers caused by the war - unemployment, the rise in prices uncontrolled until 1916, the failure of the Arbitration Court system to award wages that would match increased prices - all contributing, with conscription, "to make the final touch to the picture of war weariness".⁵ J. Hagan writes

Both the New South Wales and the federal Labor parties drew censure over the abandonment of the Prices Referendum... It seemed there was going to be no conscription of wealth for the winning of the war. The fat capitalist would wax fatter while the working class made all the sacrifices. ..

The labour movement...had been enthusiastic about the war at its outbreak. Enthusiasm waned as losses mounted, prices rose, and wages lagged behind. 6

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3. V.G. Childe, How Labour Governs, Melbourne 1964 p.48
 4. R. Gollan, The Coal Miners of New South Wales, Melbourne 1963 pp. 140-141
 5. I. Turner, Industrial Labour and Politics, Canberra 1965 p. 81
 6. J. Hagan, Printers and Politics, Canberra 1966 pp. 191, 193

A trade union historian of the Sydney branch of the W.W.F. believes the influence of the I.W.W. was a key factor in ~~activating~~ the trade union movement against conscription in 1916. Speaking more specifically of Hughes and the W.W.F. he says of the I.W.W. influences in the S.W.L.U. "they had him expelled from the federation in September 1916".⁷

The latter statement cannot be accepted without qualification. Nor can the generalisations of any of the other historians quoted above be applied to the W.W.F. If the trade union movement as a whole was disillusioned with the war because of economic difficulties, the wharf labourers, particularly in Sydney, were an exception to the general rule. That the Sydney wharf labourers did finally arrive at the point of opposing conscription and expelling Hughes was due to another complex of reasons. Overall it must be said that the wharf labourers, when it came to the point of decision, chose adherence to the example of the Labor Party and to their own traditions rather than to Labor Party leaders, Hughes in

7. T. Nelson, A Century of a Union, Sydney 1972 p.26

particular. Hughes could not shelter behind the shortcomings of other politicians since he was Prime Minister, and responsible for initiating the conscription proposal. Past experiences had proved that the S.W.L.U.'s disagreements with Hughes could usually be dissolved by his attendance at meetings. But Hughes had been forced to neglect the branch of which he was still general secretary in name. His political involvement did not allow direct contact with the S.W.L.U. after April 1914. Nor did the membership of the branch remain static during the war.

Many new members were admitted in 1915 and 1916, partly to replace the positions of those who had enlisted in the army, partly to increase the work force in response to the expanded needs of the shipping industry due to the war.⁸ The new members did not belong to those who knew Hughes. They also brought new ideas on to the waterfront or were prepared to listen more readily to the propaganda of the anti-Hughes minority. Chance events also helped in the disintegration

8. Many wharf labourers decided during the war to resume, or to enter, the occupation of seaman. The writer was informed of this at a W.W.F. veterans' dinner on 9 December 1972 by a group of veterans aged between 75 and 88; the reason, they affirmed, was one of patriotism. Many Australian seamen lost their lives on overseas voyages.

of the conservative pro-Hughes influence of the branch leadership. Death removed Kelly. An accident caused the retirement of his moderate successor; the contingencies of war provided a replacement in the form of the socialist McCristal, acceptable to the main radical factions in the branch because he was not a "Hughes man", but was, ironically, a war supporter.

The main indication of support for war shown by the W.W.F. in general and the S.W.L.U. in particular was in the expression of anti-German attitudes. A motion not to work with Germans was defeated in October 1914 when there was still a vague feeling amongst the majority of those who attended union meetings that it would be "unfair not to work with them because they were naturalised". But in December there was a special meeting followed by a cease-work meeting to discuss the matter of working with "enemy subjects". At the special meeting it was decided that from that night

we refuse to work with enemy subjects; that we refuse to work under any (enemy) bosses whether naturalised or not; that we do not work with any Germans, Austrians

or Turks or under their supervision or on any wharf where they are employed, naturalised or not.

An amendment to seek legal advice before making such a decision was defeated by a majority of 21 of the 300 members present. The cease-work had actually been called because a section of the membership wanted to debar all neutrals too; but the resolution of the earlier meeting was upheld.⁹

Those members who had recommended caution on legal grounds were proved to be correct. Several members of the union, naturalised British subjects who were victims of the resolution, began legal proceedings against the union for preventing them from working. The answer of the union was to enlist its own legal aid and to fight the matter "to the bitter end". A Supreme Court injunction afforded a modicum of protection to the "alien" members of the union, but the onus was on the individual to prove that he was not an "enemy". Members of the union of many years standing had recourse to sending to their homelands for their birth certificates before they could

9. S.W.L.U. Minutes 21 October; 12 and 14 December 1914

prove their purity and thus be allowed to earn their livelihoods on the waterfront. Those born in Australia were allowed to work without question if not without suspicion; their fathers, however, if the necessary documents could not be obtained, had to find work elsewhere. A unanimous resolution condemned Premier Holman and the State Government of New South Wales, and Prime Minister Fisher and the Federal Government, for refusing the S.W.L.U.'s demand for the dismissal of all enemy subjects in government employment. It called on Sydney municipal councils also to get rid of enemies in their service.¹⁰ The C.O.M. was quite sympathetic to the attitude of the Sydney branch and made no objection to its decision that all applicants for W.W.F. membership should produce birth certificates before admission.

There were a few small signs of more positive patriotism and support for the war. An Australian flag was purchased for the union offices. There was unanimous support for the erection of a board to be used as a roll of honour for the names of members who had been killed or wounded in action

10. Ibid., 20 January, 28 April, 9 May, 1 September, 10 November 1915; 26 April, 31 May 1916

or who had returned from service abroad. President Kelly was the leader of both types of patriotic fervour. He called a special meeting in 1915 to discuss the Labour Council's proposal for donations to establish a fund for the care of wounded trade union servicemen. Kelly suggested a donation of £1000. Secretary Woods expressed caution; while the branch had a healthy bank balance, it would need to retain sufficient to pay its share of the cost of the W.W.F. Commonwealth arbitration case which was currently being heard in the court. But the president would allow no motion for a smaller sum and the £1000 was easily passed.

Kelly also showed his partisanship on behalf of returned soldiers in a dispute he had with the Eight-Hour committee in September 1915. He insisted that returned soldiers, as well as politicians, should be invited to the banquet celebrating the 50th. Jubilee Year of the New South Wales Eight-Hour movement. The Eight-Hour committee disagreed. Kelly broke the rules of the committee by telling his story to the press,

and the committee returned his credentials to the S.W.L.U. The union refused to replace him, as an endorsement of his attitude, although it still participated in the Eight-Hour march.¹¹ Hughes, for the last time, marched in the procession at the head of the wharf labourers.¹²

The S.W.L.U. continued to show its enthusiasm for the war after Kelly's death in 1916. There was no relaxation of the rules opposing the membership of aliens. It accepted with approval the C.O.M.'s decision not to admit enemy goods into the country until twelve months after the war. When Kitchener's death was announced the branch cabled Hughes, who was then overseas, expressing its "grief and regret". Hughes replied by cable solemnly thanking the members.¹³

Not all unions shared the wharf labourers' anti-German extravagance of expression. Naturalised members of the Furnishing Trades Union were assured by the union of friendship.¹⁴ The Balmain branch of the Colliery Employees' Association felt moved to write to the wharf labourers "viewing

11. Ibid., 19 May, 28 July, 22 September, 28 October 1915

12. Sydney Morning Herald 4 October 1915

13. S.W.L.U. Minutes 26 April, 31 May, 7 June, 28 June 1916

14. Labor Council Minutes General Meeting 3 December 1914

with disgust the actions of the union which they considered detrimental to the best interests of workmen generally".

The S.W.L.U. replied that it was quite capable of carrying on its own business.¹⁵ It completely ignored criticism

from Tom Barker who commented contemptuously in Direct Action

Now that the Empire is in danger the Sydney wharfies have risen to the occasion. They have determined not to allow Germans, Austrians or Turks naturalised or not to get a living on the Sydney waterfront. We fail to see anything to boast about in the business...why not follow the thing to its logical conclusion and bar the Pommie and everybody else who did not have the intelligence to be born inside the confines of Australia? 16.

If there was any opposition to the S.W.L.U.'s anti-German policy inside the union there was no indication of it. Nor was any voice ever raised against the more positive demonstrations of loyalty and support for the war.

The S.W.L.U.'s anti-German feeling was shared by wharf labourers in other ports. In Melbourne naturalised Germans who were wharf labourers were physically attacked by fellow union members. Fremantle wrote congratulating the S.W.L.U. and describing its own experiences.¹⁷ Port Adelaide wharf

15. S.W.L.U. Minutes 20 January 1915

16. Direct Action 1 January 1915

17. S.W.L.U. Minutes 24 February 1915

labourers, "far from realising the universal brotherhood of all workers, refused to work alongside men of German or Austrian descent". The support for the war amongst the Port Adelaide unionists was very strong. Their benefit scheme, which continued to operate from the inception of the Working Men's Association, was strained to the utmost during the war because of the financial assistance given to the families of the many wharf labourers who had enlisted.¹⁸ Loyalty towards their own members who were fighting Germans overseas fed the hatred of the "enemies" in South Australia.

Antagonism to Germans was not confined to wharf labourers. Gold miners in Kalgoorlie stopped work in August 1916 as a protest against the employment of men who were reputed to have been of German nationality.¹⁹ Some coal miners' lodges in New South Wales refused to work with men deemed to be enemy aliens.²⁰ The wharf labourers were, however, the most consistent of all unionists in their hostility; this was not surprising since Hughes and the C.O.M. encouraged chauvinism by not interfering in actions which were inconsistent with

18. G.T. Powell, A Study of the W.W.F. in South Australia 1917-1922, Unpublished Thesis, University of Adelaide 1966, pp.188-189

19. F.K. Crowley, op. cit., p. 194

20. I. Turner op. cit., p. 69

the rules of the W.W.F. In the Commonwealth Parliament, aided by the Opposition, Hughes was able to push through a bill which had the effect of disenfranchising many voters of German descent.²¹ During the "Yes" campaign Hughes and his supporters directly equated anti-conscription with pro-German sentiments.²²

In the first two years of the war many workers experienced economic difficulties. There was a rise in the numbers of unemployed; those who were able to retain employment experienced a loss in real wages caused by increases in prices, particularly of food.²³ The worst unemployment was amongst building workers; factory workers also suffered and the ending of the export trade in metals with Germany affected miners. A poor harvest in the first year of the war added to the economic difficulties, particularly in New South Wales. As soon as the war began, the New South Wales government sent representatives, the Chief Secretary and the Minister for Justice, to a meeting of the New South Wales Labor Council. Co-operation

21. K. Beazley, A.L.P. News 23 May 1966

22. Mercury (Hobart) 25 October 1916

23. Commonwealth Labour Reports quoted by I. Turner, op.cit., pp. 252, 253

with the Council's executive committee was promised "In action to assist workers to tide over the slack period caused by cessation of trade with other countries."²⁴

Wharf labourers experienced unemployment in the first few weeks of war being declared. The New South Wales government sent a representative to a meeting of the S.W.L.U. early in September in response to expressions of concern made by the union. Mr. Hoyle said that

the serious aspect of affairs had been brought to the notice of the government...The matter was one of finance. But they would try to alleviate distress wherever possible but he hoped that the Federal Government would shoulder their share of the responsibility. ²⁵

In the same month 130 members signed a requisition for the convening of a special mass meeting to "deal with the unemployment question and to bring under the notice of the Government the threat of certain landlords to dispossess certain members of our union for non-payment of rent". The spokesman for those requesting the mass meeting urged the booking of the Town Hall for the following Sunday week. The hall was not available and at the union meeting when this should

24. Labor Council Minutes 6 August 1914

25. S.W.L.U. Minutes 9 September 1914

have been discussed there was no quorum present. Meantime the Naval Authorities were complaining of delays in the discharging of the steamer Janus owing to a dispute about special payment for the cargo of linseed oil. Evidently unemployment had become a matter of less concern to the union than the rate of payment for special cargoes.²⁶

After the first few months the wharf labourers' industry was little affected by war time difficulties.²⁷ The main British ships continued to arrive; the war had little immediate effect upon British commercial services, apart from the requisitioning of some ships to meet government demands.²⁸ The loss of enemy shipping was partly offset by the Australian government's seizure of 26 enemy vessels caught in Australian waters by the Royal Australian Navy on the outbreak of war. These were used for the transport of troops, grain, tinned butter and other foodstuffs. Australian shipowners were fully engaged in the increased amount of trade available to them, due to the falling off of competition. There was a good

26. S.W.L.U. Minutes 9, 16, 23 September 1914

27. The figures for water transport in the gross domestic product show a steady increase in the war years. See N. Butlin, op. cit., p. 461

28. J.M. Maber, North Star to Southern Cross, Great Britain 1967 p. 108

market for Australian exports because of Britain's pre-occupation with the war. In 1916, when there were not sufficient ships available to transport the bumper wheat harvest of 1915, Hughes saved the situation in a double way. He arranged for Britain to buy and transport the wheat, and, without any parliamentary authority, but with Commonwealth Bank finance, he bought fifteen English ships for Australia. The "Australis", as they were christened, were not new, but they more than paid for themselves in carrying petrol from American ports to Australia and trading on other safe routes.²⁹ Hughes's action could not but endear him to the wharf labourers. The S.W.L.U. in 1909 had supported nationalisation of shipping and had placed the matter as an item on the agenda of the Trade Union Congress of that year. It was also the policy of the Labor Party after the 1912 conference. Hughes had struck a blow against the private enterprise of the Australian shipowners; above all he had assured the wharf labourers of full employment. Wharf labourers in Fremantle, Western

29. E. Shann, An Economic History of Australia, Melbourne 1963 pp. 402-404

Australia, expressed their satisfaction when Hughes arrived back from England. "The first words shouted at him as the steamer drew near the wharf were 'Good boy Billy!'.³⁰

The W.W.F. was able to preserve a "closed shop" after the 1914 award so long as the shipowners were guaranteed a sufficient supply of labour. A shortage of labour developed in Sydney in 1915, due to enlistment by wharf labourers in the armed forces, and the loss of the "enemy" labourers. The S.W.L.U. had to open its books closed since 1913, and from July 1915 fifteen new members were admitted each month.³¹

While wharf labourers did not suffer from unemployment, they could not escape the high prices which beset the rest of the working class, particularly in 1914 and 1915. Here again, however, they did not suffer as much as those whose applications for wage increases were made after the war started. There was a long delay in the Commonwealth Court because of the number of applications. In New South Wales, the State court deliberately kept wage increases low because of "times of adversity".³² Since the W.W.F.'s Commonwealth case had been

30. Australian Seamen's Journal 1 September 1916

31. S.W.L.U. Minutes 7 July 1915

32. H.V. Evatt, Australian Labour Leader, Sydney 1945 (Abridged edition) p. 262

heard as a matter of urgency before the war started and was completed by arrangement at the end of 1915, the W.W.F. had an advantage over other unions wishing to have their cases heard in the Commonwealth Court, and had no need for recourse to the State courts. With overtime based on the 150% and 200% principle over the hourly rate of 1/9, wharf labourers in New South Wales could confidently expect to earn more than the £2.15.6 per week which was the adult living wage in that State in 1916. Furthermore, Higgins' policy of open door to worker-employer bargaining vis-a-vis rates for special cargoes, enabled wharf labourers to take advantage of a war situation which favoured shipowners so long as they could rely on speedy turn-around of ships in port. The 1915 W.W.F. award variation was followed by a number of disputes concerning rates for special cargoes which resulted, in the main, in victories for the unionists.

These disputes were not "strikes" in the meaning of the word as defined by Higgins. They did, however, swell the

record number of man-hours lost in all the industrial disputes of 1916, and have been seen by some labour historians as proof that wharf labourers were deserting arbitration for direct action.* Wharf labourers in Queensland, New South Wales, Victoria and Western Australia all used Higgins's statements that "it was all a matter of contract" to harass the ship-owners. The Commonwealth Court found it necessary to correct a genuine misunderstanding on the part of the W.W.F. that so long as the union did not authorise a stoppage, individual groups could pursue their demands with impunity. Most of the disputes were settled in the Commonwealth Court.

The S.W.L.U. had little to do with the New South Wales Labor Council's dispute-settling mechanism, and did not bother to send delegates regularly to Labor Council meetings during the war years.³³ It did, however, become involved with the Storemen and Packers' Union in a dispute with the Vacuum Oil Company over special rates for case oil in March 1916. Wharf labourers complained to the Labor Council that storemen were

* See J. Hagan op.cit., p.191 and I. Turner op.cit., p.84.

33. There is no mention of S.W.L.U. delegate participation in the Minutes of the Labor Council general meetings in 1914, 1915 or 1916.

handling "black" case oil. The executive committee of the N.S.W.L.C. discussed the disagreement between the two unions and recorded the S.W.L.U.'s complaint that

case oil was not classified as a special cargo in the 1915 award and that no person was bound to work for the wage as fixed. As an individual he may refuse if he thinks the wage is worth more than the minimum wage... This the S.W.L.U. took to mean that they were at liberty so long as they acted apart from the union, to strike against the acceptance of the 1/9 per hour and did so.

The employers took the dispute to a State Wages Board, which awarded the wharf labourers 2/- per hour when working in the hold but not elsewhere. The men at first refused the offer, but accepted it when Higgins decided it was fair and equitable.³⁴

A case which the W.W.F. handled for its members in Western Australian ports caused angry words between Higgins and Morris. Wharf labourers in Fremantle had, before the Commonwealth award, received extra overtime rates for working between midnight and 7 a.m. They felt entitled, after the December 1915 variation, to demand $3/3\frac{1}{2}$. per hour instead of $2/7\frac{1}{2}$. Morris declared that he "could not hold the men any longer". Higgins replied

34. Minutes New South Wales Labor Council Executive Committee
28 March 1916

"You had better say you want me to release you from the award", whereupon Morris, taking him literally, got the C.O.M. to apply for the release. Higgins ignored the request and explained that his statement had been a figure of speech. He refused the Fremantle men the extra money since it would have meant more than men in other ports were getting.³⁵ Morris was more successful when he appeared in September 1916 on behalf of the labourers at Flat Top, Queensland. They had been in dispute concerning meal hour payment and travelling time. The court decided that the employers should pay 3d. per hour extra and make proper arrangements for meal hours.

This case and a number of others, including that of the wheat men, where extra rates were awarded following disputes, caused one historian to state

In that year (1916) the W.W.F. virtually compelled the Commonwealth to supersede its own arbitration machinery and grant Federation members substantial wage increase. 36

At no time however did Morris or the branch officials or Higgins express a view that arbitration was being superseded.

35. Argus 19, 20 April 1916 and Minutes C.O.M. 19 April 1916

36. J. Hagan op. cit., p. 191

The disputes, and their settlements, arose from the W.W.F.'s and the Court President's interpretations of the latter's own statement concerning the matter of contract.

Port Adelaide was the only main port where contentment with the award and support for the war prevented any dispute. Elsewhere the wharf labourers took advantage of the war situation, and the shipowners submitted, when not directed by the court, rather than have any interruption to the very profitable turnaround of their ships. In general the wharf labourers acted legally. They supported the war and availed themselves of the opportunities which the war, and the court seemingly, provided. Militancy of this type was opportunist rather than indicative of any radical influence of a working class movement disillusioned by the war and wartime restraints. In 1916 the wages of wharf labourers reached a level which was higher than they had ever been previously. The labourers were earning almost 25 per cent more than they had before the award. 37

37. There was to be no further increase until 1920. N. Butlin op. cit., p. 181

While high prices affected the value of real wages for the whole community, the wharf labourers did not suffer the same effects as those workers whose wages were pegged in the early part of the war. There was no outcry from the S.W.L.U. when the Hughes government cancelled the referendum concerning price control in October 1915. The C.O.M. did not join in any protest about the high cost of living. After that occasion, before the war, when Kelly led the Sydney wharf labourers in refusing to load meat for export while the domestic price remained high, the S.W.L.U. took no further action. With the war's onset, the Holman government endeavoured with some success to control the price of basic foodstuffs. The establishment of a state bakery was the main outcome of Holman's attempt to control the cost of living.

In Victoria the price of bread was higher than in other states, and the matter was not rectified until the Bread Case in the High Court in June 1916 gave the Federal government the power to control trade and industry as part of its war-time

powers.³⁸ The unique example of W.W.F. members taking action about the war-time cost of living was on the Melbourne waterfront. Bread prices did not initially concern the wharf labourers when they refused to load wheat on the first day of 1916. The Port Phillip stevedores were demanding special rates for wheat cargoes following the December 1915 award variation. Hughes defended the men, quoting Higgins's statement that "it was all a matter of contract" and promised to "fix the matter". The trouble was settled after a few days. Wheat handlers employed both by the shipping companies and by the agents for the government transports were promised 2/- an hour for the rest of the season.³⁹

A few days later work again stopped on the wheat ships. The wheat men were demanding that the increases should apply not only to the ordinary rates but also to overtime. At the C.O.M. meeting Hughes said that

the W.W.F. would have to take action on the wheat question. The individual action of members causing a cessation of work in the shipping of wheat at such a strenuous time as this cast a reflection on the whole

38. C.L.R. Vol. 21, 1916 pp. 439-443

39. Argus, 1, 4 and 5 January 1916

of the W.W.F.⁴⁰

It was decided to send a letter to the chairman of the Wheat Board asking for a conference. Since the men were acting "individually" the government agents thought it better to deal directly with the men, but as the latter wanted an agreement covering the shipowners as well, they asked Hughes to arrange a conference with Higgins. Before the conference took place the Victorian Minister for Agriculture, F. Hagelthorn, was reported in the Argus of 13 January to have sent a circular to the farmers of Victoria organising a scheme whereby farmers could load the wheat themselves. They would receive free rail passes and arbitration rates of pay, viz. 1/9 per hour. Hagelthorn wrote

I take it that the farmers are not so concerned with rates of wages as about assisting the government in preventing any body of men from dictating terms and conditions of employment at their own sweet will and working or refusing to work as the humour pleases them.

Fortunately for Hughes's peace of mind - he was about to leave for England - Higgins called a compulsory conference

40. C.O.M. Minutes 11 January 1916

before Hagelthorn was able to carry out his published threat to "bring in the farmers". The President of the Court informed the shipowners that the individual action of the men had not constituted a strike and that the true interpretation of the award did indeed entitle them to extra payment for overtime. Adding 3d. on to the overtime rates for general cargo, he awarded the wheat men $2/10\frac{1}{2}$ and $3/9$ per hour for ordinary and extra overtime. The men returned to work and ten days later, despite rain, between two hundred and three hundred men worked wheat on a holiday; at $3/9$ per hour this gave them 30/- for the day.⁴¹

It was only in the third round of action that Melbourne wharf labourers considered the price of bread. Again acting individually, men on one wharf refused to handle flour for export while the price of bread remained high. General cargo was not affected. Commenting on the matter, F. Tudor, Minister for Customs, said

41. Argus 11, 12, 13, 14, 15, 17 January, 1 February 1916

The men have taken individual action as a protest against the high price of bread when flour is being shipped out of the country. The attitude I have taken up right through...has been that exports cannot be allowed if more is being charged for the commodity in Australia than the f.o.b. price at which it is sought to export.

He had acted on many commodities and had not allowed the export of the flour in the previous year, but had not acted in 1916 because there had been a large surplus. Hagelthorn spoke bitterly of the lack of faith shown by the wharf labourers. He said they had given their word to J. Morris that there would be no more strikes. H.G. Walsh, the secretary of the wharf labourers' union, said the men had taken action on their own initiative. He interviewed the State Cabinet and was assured that the price would be reduced. The men expressed satisfaction and returned to work.

The price was reduced by 1d. per loaf, to $7\frac{1}{2}$ d., but the announcement caused a further stoppage, the men declaring that they would not resume until the price was 6d., and added an embargo on butter. Their action was followed by a Trades

Hall protest on prices. Higgins threatened penalties and the C.O.M. persuaded the men to return to work and load flour and butter until the case was heard.

When Higgins did hear the case, the day after work was resumed, he corrected the view of the unionists that there could not be a strike so long as the union had not sanctioned a dispute. Two men could be guilty of a strike. The refusal to load flour had constituted a strike but he recognised that the men had "acted under a mistake." The judge warned the C.O.M. that a repetition could endanger the award, but hinted that action would soon be taken about bread prices. Tudor published another statement: the price of butter was to be lowered and he had reconstituted an embargo which had been lifted only to allow 500 tons of surplus tinned butter to leave the stores.⁴²

The dispute had lasted only a week and it was the type of action which was pleasing to the officials of the I.W.W. Direct

42. Ibid., 11, 12, 14, 18, 19, 24 February 1916

Action commented

A little more direct action of this kind on the part of those handling foodstuffs would do more to reduce prices than all the tinkering of economists and politicians. 43

Direct Action did not claim credit for this dispute which it applauded. One employing agent had earlier given as his opinion that "the men have not done this of their own accord but have been instigated by others behind the scenes."⁴⁴ I.W.W. propagandists were indeed present on the Melbourne waterfront, though their influence was stronger amongst the Port Phillip Stevedores than with the Port Melbourne wharf labourers. The action of the former concerning their rates for wheat was economic, not political; the disputes about the special rates involved men who believed primarily, as did the Fremantle men in April, that the terms of their award entitled them to take action legally. The flour and butter issue was a political rather than an economic one. It was, however, an isolated action taken by a small group who returned to work when ordered to do so by Higgins. In general the wharf labourers had been

43. Direct Action 19 February 1916

44. Argus 11 February 1916

wedded to the idea of Commonwealth arbitration, and were obedient to the Commonwealth court's directions, however much the I.W.W. objected to the fact.

Are you going to be chloroformed all your lives?
 Are you everlastingly going to be flapdoodled by
 political tricksters of the hue of 'Tinker' Hughes?
 Arbitration and arbitration awards have accomplished
 nothing for you. 45

Such admonitions fell on deaf ears, since Hughes and Commonwealth arbitration had brought economic security.

The moderate leadership of the Sydney wharf labourers had the support of the majority, at least of those who attended meetings, in rejecting I.W.W. propaganda far into 1916. The union persisted in policies of loyalty to arbitration, the war and Hughes's conduct of the war, as well as in its anti-German animus. Above all it persisted in its opposition to the people voicing the ideas of the I.W.W. Tom Barker and the I.W.W. journal Direct Action became very well known to the S.W.L.U. from the beginning of 1914. Barker attacked in general and in particular the ideas which the moderate wharf labourers held in

45. "An Open Letter to the Wharfies", Direct Action 15 May 1914

regard. It is not surprising that when the I.W.W. approached the union in April 1916 for support in the campaign to have their leader released from prison, the letter was "consigned to the W.P.B."⁴⁶ Nor was there much I.W.W. activity evident on the waterfront away from the meetings of the union.

Barker himself, while recording his experiences with the I.W.W. in Sydney did not once mention support on the waterfront except in connection with ship painters and dockers (not wharf labourers) who painted I.W.W. signs on ships in Sydney harbour. There were large I.W.W. meetings in the Domain on Sundays, when, as Barker stated, literature worth £100 would regularly be sold.⁴⁷ An afternoon at the Domain was a popular outing for wharf labourers and other workers living within walking distance, and many wharf labourers heard I.W.W. speakers including their own I.W.W. spokesman McNeill. Thus while wharf labourers were well versed in I.W.W. propaganda the response of the majority was to ignore or reject it. Even when one of their own members, Donald McPherson, became one of

46. S.W.L.U. Minutes 12 April 1916

47. E. Fry (ed.) op. cit., pp. 21-22

the I.W.W. Twelve convicted of treason in 1916, neither his name nor the proceedings received any mention in the union records.

In most of the other ports the experiences were similar. C. Reeve, Secretary of the Sydney I.W.W. and another of the Twelve, several times conducted meetings on the Port Adelaide waterfront with little apparent success.⁴⁸ Only in Melbourne did the I.W.W. make any headway in that a self-styled member of the I.W.W., A.W. Wilson, for a short time in 1914 held the position of president in the Port Phillip Stevedores and retained some influence amongst the members of that union throughout the war. He was, as President of his branch, included in the special meetings of the C.O.M. during the negotiations for the new agreement of 1914. His presence, and his influence at the time with the Stevedores, caused Hughes and Morris some difficulties in getting that group's obedience to the C.O.M.'s decision to end the tactic of the overtime ban.⁴⁹ Over two years after Higgins had made the

48. G.T. Powell op. cit., pp. 184-185

49. C.O.M. Minutes 16, 22, 26, 30 January; 5, 6, 12, 19, 25, 27 February; 5 March 1916

1914 award Wilson wrote in Direct Action a long article attacking, in extravagant language, the partnership of Morris with Hughes. He accused them both of "scabbing" in the New Zealand strike; he declared that they had "acted on I.W.W. methods" in using the overtime ban in February 1914; he, as president of the Stevedores, had always disagreed with the scabbery of Morris, his fellow-leader in the Stevedores' Branch, and when the C.O.M. decided to end the overtime ban Wilson said "I defied him and his bum council".⁵⁰ While Wilson lost his position as president he remained on the waterfront, and was the spokesman for the I.W.W. there.

Hughes preferred to believe, before his departure for England in January 1916, that I.W.W. influence in the W.W.F. was so negligible as to be ignored. He had "been exposed to criticism but always had the support of the W.W.F." he said, as he thanked the C.O.M. for wishing him bon voyage and presenting him with a diamond pendant for Mrs. Hughes. As for the opposition of other unionists, as expressed by the

50. Direct Action 12 July 1916

Melbourne Trades Hall vis-a-vis his recruiting cards, he said in words rather like those used in Direct Action

those men who posed as lovers of liberty and did what they could to prevent men from joining the Expeditionary Force...were foul parasites, leeches on labour who knew no nationality religion or principle...they should in the name of unionism and labourism be cast out like devils out of swine.⁵¹

Hughes's confidence at this time in the support of the W.W.F. was well based, particularly in the largest branch, the S.W.L.U. It was a different story however in other sections of the labour movement. In the last two months of 1915 "a deep distrust of the Prime Minister had taken possession of a section of the Labor Party" due, says E. Scott, to his decision to abandon the prices referendum. Hughes was "permitting himself to be drawn into closer association with the hereditary enemies of human progress". This section, said Scott

held that the matters of class interest should not be subordinated to the requirements of the war... the opinion was expressed that Australia had done enough.

51. Argus 15 and 19 January 1916

There was uneasiness also about the way Hughes was planning to use information collected under the War Census Act. A card was to be sent to every man eligible to enlist, with three questions "Are you prepared to enlist? If so, are you prepared to enlist now? If not, when?" If the person was not prepared to enlist at all he had to state his reasons. In reply to a deputation from the Brisbane Trades Hall early in December 1915 Hughes insisted that these methods were justified by the circumstances but that he did not propose to introduce conscription without an appeal to the people.⁵²

The Queensland labour movement, dissatisfied with Hughes's replies to the deputation, mounted a campaign against his recruiting methods, stating that they were in themselves just one step away from conscription. Australia's largest union, the Australian Workers' Union, declared that no man should be compelled to fill in the cards.

Hughes's decision to put the question of conscription of manpower for overseas service was not made until the

52. E. Scott, Australia During the War, Sydney 1936 pp. 306-313

end of August, but before August 30 a large anti-conscription movement was under way in the labour movement. Both in New South Wales and Victoria, Easter conferences of the Labor Party had declared against compulsory recruiting methods, as had the Labour Councils in Queensland, Victoria and South Australia. As H.E. Boote said in the Worker, "the question seethed in the minds of the people"; while Hughes continued "manufacturing mouthfuls of rhetoric and grinding out patriotic perorations... the Labor movement has made its mind known and a conclusion of Absolute Unanimity has been reached".⁵³ That "Absolute Unanimity" had not been reached was demonstrated by a number of unions, including the S.W.L.U. which did not declare against conscription until Hughes made the announcement that the referendum was to take place. Until that time the union had, like Hughes himself, linked the anti-conscription cause with the anti-war sentiments of the I.W.W. and had refused to be involved. There was no apparent weakening of the union's moderate outlook even with the loss of the moderate Kelly as

53. Worker 24 August 1916

leader, though the subsequent leadership difficulties did place the anti-Hughes section in a position of greater advantage.

Kelly died after a brief illness, in January 1916. The president's position was taken by another moderate, S. Doyle. When Doyle was injured in an accident on the waterfront, various committee-members in turn presided at the meetings until the annual elections in mid-1916. In June, just in time for nomination, the erstwhile Socialist McCristal returned after his two-year absence with the armed forces abroad. Hillyer too was nominated as president. Being questioned on their eligibility to stand for election, Hillyer replied that everybody knew he had not worked on the waterfront for the past seven years; McCristal said that everybody knew he had "answered the call of his country two years before and he had been wounded three times". Hillyer's nomination was declared invalid. McCristal won the position handsomely against six other candidates including McNeill, the latter

receiving the lowest number of votes. J. Woods was elected for the fifth successive time as Financial Secretary, and his victory over three other contestants was even more decisive than that of McCristal. McCristal was the only elected official who was known in the past to have been an opponent of Hughes. All the officials elected were supporters of the war. Hillyer dropped out of union affairs after trying to refute allegations that he was pro-German. Another election which took place in July chose Woods and three other anti-German war supporters as delegates to the annual W.W.F. October conference. The delegation did not include McCristal. In August the S.W.L.U. unanimously supported W.M. Hughes as its representative on the W.W.F. management committee and, also unanimously, agreed to hear speakers for the recruiting campaign. At the end of August correspondence was received from W. McKell asking for delegates to a conference in September to discuss the matter of One Big Union. The union refused to elect delegates.⁵⁴ McKell was wrongly regarded as a

54. Ibid., 12 January; 28 June; 12, 26 July; 9, 30 August 1916

member of the I.W.W. 55

It is obvious from the above that in August 1916 the union was still firmly anti-I.W.W., anti-German, pro-war and pro-Hughes. Nor at this stage would the union have anything to do with the anti-conscription campaign beyond token, and very guarded, support. The activities of the anti-conscriptionists were regarded with extreme suspicion, since they included the I.W.W. members. A request for delegates to their conference in July was at first stood over; then the union decided to send G. McNeill and another delegate, but insisted that there should be no press publicity linking the S.W.L.U.'s name with anti-conscription. McNeill was called upon to explain why he did use the union's name in connection with the anti-conscription Domain meeting, at the end of July, which was broken up by conscriptionists. A small majority decided to donate £5 to the anti-conscription cause. A **later** motion to rescind the donation was only narrowly defeated after much debate. President McCristal declared

55. E. Fry (ed.) op. cit., p. 33

"I do not think there will be any conscription here", and a letter from the secretary, H. Charlesworth, of the Anti-Conscription League asking for support for action against conscription was "consigned to the W.P.B.". 56

The matter which the Anti-Conscription League wanted discussed had been set out in very mild terms: "That the various unions be asked what line of action they are prepared to adopt to oppose the introduction of conscription or the back door method of the Military Levy". A special cease-work meeting took place the following week, not to discuss political matters, but to finalise the list of special cargoes for which the employers were to pay the higher hourly rate of 2/- ordinary time and 3/- overtime, and to endorse other points of an agreement made with the employers. Included was the setting up of a joint conciliation committee and the giving of an undertaking that there should be "no stoppage of work on any occasion whatsoever" about the rates of pay and conditions agreed upon. Only at their last meeting in August

did the S.W.L.U. finally endorse two resolutions which Charlesworth forwarded from the Anti-Conscription League's conference. These resolutions were acceptable to the moderates since their emphasis was directed against the press and against the state government, so in a sense shielded Hughes. The resolutions stated:

(1) That in the opinion of this great meeting of Unionists the attempt of a certain section of the Press to fasten the yoke of Conscription upon the people of this Country is an insult to the magnificent response which has been made by the manhood of this Country to the appeal made by the Prime Minister. And further we do not believe that they are actuated by the belief that there is any real military necessity for Conscription. But because they desire to break the power of the organised Workers of Australia and bring them down to the level of workers in Conscript Countries.

(2) That the prohibition of free discussion of the Great National question of Voluntary or Compulsory Service by Mr. Black calls for the united protests of all Unionists and citizens and the P.L.L. Executive and Unions should insist upon the restoration of our Citizens right to hold meetings in the Domain as heretofore. 57

It was decided also to "wire W.M. Hughes asking him if it would be possible for him to attend if a cease-work meeting

57. Ibid., 30 August 1916

was called". Thus while the S.W.L.U. had finally declared against conscription, support for Hughes was still strong at the end of August.

Clear hostility to conscription and to Hughes was dramatic in the speed of its development. McNeill's requisition motion for a cease-work meeting to protest against conscription was passed 60/22 on 6 September. Hughes was not present at the overflow meeting at the Town Hall a week later on 14 September when it was decided almost unanimously, "That the members of this Union emphatically protest against the introduction of conscription of life as intended by W.M. Hughes".⁵⁸ Hughes was expelled from the Labor Party in New South Wales on 15 September. At the union meeting on 12 September McNeill and Woods were elected as delegates for the congress against conscription, and McNeill gave notice of a motion to expel Hughes from the S.W.L.U. In the final days of September on the 27th, at a special meeting, Hughes was expelled. At McNeill's insistence, all the officials had to

58. Ibid., 6, 14 September 1916

be seated on the platform, so that the membership was able to observe how they voted. A total of 160 members voted for McNeill's expulsion motion. Woods and the treasurer Hunt were among the 42 who opposed it.

Two days later a special cease-work meeting in the Town Hall heard a report from Woods and McNeill on the Trade Union Congress opposing conscription. The union decided to cease work for 24 hours on any date decided upon by the Trades Union Congress and "to fall into line with any action taken by that body". Though the membership was unanimous in the decision to cease work, Woods fought a rearguard action by moving that no cease-work meeting should be called unless authorised by the executive and the management committee. His motion was lost. Another unanimous decision was "that no Maltese be allowed to join the union and that the union take drastic measures to prevent them from injuring the trade union movement".⁵⁹

At the W.W.F. annual conference held in Hobart during

59. S.W.L.U. Minutes 30 August; 20, 27, 28 September 1916

the next month neither Hughes nor any of the other politicians attended. The conference was opened by Woods as the secretary of both the largest branch in the Federation and of that branch which for fifteen years had had Hughes as its General Secretary. The four most important resolutions of the conference were all carried unanimously. First the conference opposed "conscription of life and industry in all its forms". Then it decided on a new rule, Rule 25, that all branches be represented on the C.O.M. or at conferences by working members or officials of the branches. There was "total opposition" to the bulk handling of wheat. Fourthly the conference, in declaring the necessary abolition of all forms of the contract system affirmed its support for arbitration by directing the C.O.M. to bring the case of the coal workers before the Arbitration Court so that the hourly system could be applied to the members in Melbourne and Hobart working on coal.⁶⁰

Rule 25 was applied when the C.O.M. met on 14 and 15 November 1916 after the conference. J. Woods was elected in

60. Sydney Branch Miscellaneous Records: Decisions of W.W.F. Conference 20 October - 3 November 1916. Held at Sydney Branch offices.

Hughes's place as president. The politicians disobeyed instructions to attend the C.O.M. so that they could be expelled from it. According to the W.W.F. constitution no officer could be dismissed during his term of office unless by a three-quarters majority of all C.O.M. members; the new C.O.M. notified all branches by lettergram, drawing their attention to Rule 25 and calling on them to elect new representatives in the place of their late political representatives. By 20 December all branches had responded in favour of Rule 25. Woods remained the president of the newly-constituted C.O.M., J. Morris the secretary.⁶¹

Woods had not been the mover of the two conference resolutions which opposed conscription and declared untenable the positions of politicians on the C.O.M. His attitude on both matters, however, became one of firmness after his branch had declared itself. The alliance of Hughes with Cook in the conscription campaign and the speeches of Hughes, Guthrie and Spence, as well as Cook in the last few days of the

61. C.O.M. Minutes 14, 15 November; 20 December 1916

campaign helped consolidate the position of Woods and other W.W.F. conference delegates, not all of whom had been given instruction by their branches to oppose conscription. Woods was the main speaker at an anti-conscription rally held in Hobart on 29 October, the night after the conscription view had been presented by Hughes and the other politicians mentioned above. Woods's speech serves as a good example of the moderate anti-conscriptionist viewpoint. He said

He was not there to abuse Mr. Hughes or anybody else but to give the lie to slanderous statements made by Mr. Cook and others as late as the evening before. The anti-conscriptionists had been called disloyal, pro-German, shirkers, I.W.W. ... these were abominable lies. Just because they expressed their opinion in favour of keeping the shackles of militarism off themselves and their fellow citizens they were belittled before all the world. The wharf labourers were the first union to expel Germans from its ranks and this had cost them a lot of money. Could they call people like that pro-German? Billy Hughes was saying this because the wharf labourers had said to him 'You are going back to where we lifted you from'. ... Why should he (Woods) with a wife and six children and was exempt, compel those who were not exempt to go to the war against their will? ... In Australia the working man was working for the best rates and hours that prevailed in any part of the world and conscription was required so this could

be stopped ... What would happen if 200,000 more men were sent away? The Maltese would be let in. 96 Maltese were already in Sydney and 500 more were coming there ... Every man who could not go to the front himself yet voted Yes to send another man was a murderer.

Other speakers, including some of the conference delegates, spoke of their loyalty, their opposition to "militarism at home", their indignation at being called lawless pro-German I.W.W. shirkers".⁶²

Woods's declaration that the wharf labourers had "put Hughes back where they lifted him from" was borrowed from an earlier statement in the Worker.⁶³ That Hughes had been wounded by his union's action was apparent in the speeches he made in October: he appealed to unionists

to give better conditions to their mates at the front ... Those men should not have to spend 4 days and 4 nights in the trenches and they would not have to do so if all the young men in the country did their duty. Think of that you unionists who demand your 8 hours day, your Saturday afternoons off and your holidays. Think of that you wharf labourers who knock off when it rains ... There is not a member of the organisation to which I have been attached for so long and which I founded who has not been the better by pounds a year for my labour ... I am appealing to the true unionists ... Senator Guthrie is supporting conscription and he is the Seamen's best friend. Spence is the shearer's best friend and he is for conscription.

No three men, commented the editorial on Hughes's speech, had a greater right to speak to unionists than W.M. Hughes, W.G. Spence and Senator Guthrie.⁶⁴

62. Mercury 27 October 1916

63. Worker 24 August 1916

64. Mercury 14 October 1916

Spence was suspended from the presidency of the Australian Workers' Union in the same week that the S.W.L.U. expelled Hughes.⁶⁵ Guthrie withdrew voluntarily from the Council of the Federated Seamen's Union, of which he was president, and from his position of editor of the seamen's monthly journal on 27 September, the same day that Hughes was expelled by the S.W.L.U.⁶⁶

The S.W.L.U.'s belated decision to oppose conscription was a unanimous one. Other unions in New South Wales were divided on the issue. The Labor Council vote on the question of "endorsing the P.L.L.'s attitude to the introduction of conscription", that is, opposition to it, was eloquent of this division. The vote was 116 in favour and 60 against, indicating that only two-thirds of the delegates had been instructed by their unions to support the P.L.L.⁶⁷ Throughout the month of September a number of unions arranged ballots to gain their members' views. The press reported some of the results: the Boilermakers' Union voted against conscription

65. Evening News 23 September 1916

66. Australian Seamen's Journal 1 January 1917 (no page numbers)

67. Worker 21 September 1916

709/170, the Liquor Employes 692/125. When the Trade Union Congress called for a cease-work meeting for 4 October there was even sharper division in the Labor Council, the vote being 81 in favour and 31 against.⁶⁸ The Seamen's Union journal, representing only the moderate opinion in the union, throughout the whole of 1916 spoke highly of Guthrie, Hughes, Spence and Lynch (President of the Engineers), and did not directly refer to the conscription issue until 1917.⁶⁹

The association of conscription for the armed services with compulsion, and militarism being applied to civilian life in general, and the labour movement in particular, was more likely than anything else to arouse the fear and hostility of trade unionists to conscription. The role of the Worker, the weekly organ of the A.W.U., and of H.E. Boote its editor, was of the greatest importance in deepening the fear from August 1916. When Hughes made the announcement of the conscription referendum at the end of August the Worker stepped

68.- Evening News 20, 23, 29 September 1916

69. Australasian Seamen's Journal 1 January 1917

up its campaign. It denounced Hughes as a tool of capitalism and a traitor to the Labor Party pledge; it denounced militarism in the form of censorship; it stressed the lack of conscription of wealth; warned that coloured labour would be inevitable if 200,000 Australian workers were conscripted for the army. Its cartoons vividly illustrated every danger, every betrayal of Hughes and the politicians who supported him.⁷⁰ The Worker was palatable reading for all those trade unionists who could not accept the same policies when offered by the I.W.W. in Direct Action.

It is not surprising however that unionists including wharf labourers were divided on the issue or slow to make up their minds. The large majority of wharf labourers supported the war and their anti-German sentiments were a chauvinist expression of their loyalty concerning the war. It is true that the S.W.L.U. had opposed compulsion in military training some years before it was forced to consider the question of compulsion in relation to recruitment for overseas service. Yet there is no record of Sydney wharf labourers refusing, as some parents did, to register their sons for military service.⁷¹

70. Worker 31 August; 7, 14, 21, 28 September 1916

71. J.P. Fletcher and J.F. Hills Conscription under camouflage: An Account of compulsory military training down to the outbreak of the Great War. Adelaide 1919

As Hughes argued when talking to the members of the Queensland unionists' deputation in December 1915, the union movement itself was based on compulsion and the Labor Party's platform for ten years had had as a basic plank compulsory military training.⁷² Hughes was careful in his stating of the conscriptionist case always to emphasise that the powers required were only for the duration of the war and that they were only an extension of the powers the government already had. As for industrial conscription Hughes said the government already had the power, under the War Precautions Act, to compel to work, at any work, for any wage, but that power had not been used and he did not propose to use it.⁷³

Since the wharf labourers had so often in the past disagreed with him at first, then had come around to his point of view, or continued to disagree without upsetting their amicable relations with Hughes, it is not outside the realms of possibility that they could have been convinced by him or reached a compromise on this issue too. But it was

72. E. Scott op. cit., p. 312

73. W.M. Hughes, Manifesto and Speeches, 18 September 1916

impossible for Hughes to give the time to influencing the S.W.L.U. personally. It would seem that in his absence and without the benefit of his advice the unionists, even those who had been close to Hughes, were caught up in a situation where it was easier to oppose their leader's policies than those of his party. The S.W.L.U. had criticised the Labor Party in the past but had always remained in its ranks. The strongest reason for the wharf labourers' decision to oppose the policy of Hughes lay in the radical traditions of the union. Militancy in industrial matters could be curbed when obedience to the rules of the arbitration court meant gains in wages. It had always been more difficult for Hughes to check the union when a trade union principle seemed to be at stake. The matter of conscription for overseas service became a question of union principle concerning both wharf labourers and the rest of the trade union movement. The charge of pro-German disloyalty made by the conscriptionists insulted unionism. The fears of industrial conscription,

militarism at home and of cheap Maltese labour being introduced, however groundless, seemed major threats to all that unionism stood for. Until 30 August the pro-Hughes moderates could allay their own fears by equating the anti-conscription movement with I.W.W. propaganda; or they could convince themselves that Hughes would not try to introduce conscription, that "there would be no conscription here" as McCristal had said. When Hughes made his announcement however there could no longer be any doubt. The union had to make a decision and it came down on the side of trade union principle.

Condemning Hughes's conscription policy was one thing; getting rid of Hughes himself was a very different matter. Woods and Hunt and the other moderates who opposed Hughes's expulsion saw nothing inconsistent at the time in wishing to retain their leader after they had rejected his policy, even though he had already been dismissed from the New South Wales section of the Labor Party. The A.W.U. had opposed Hughes's

recruiting methods since the beginning of 1916, but did not take the action of suspending Spence until eight months later. Guthrie removed himself from the Seamen's Union. Woods only brought himself to speak against Hughes after the W.W.F. conference had ratified the S.W.L.U.'s dismissal of Hughes by making all politicians ineligible for the leadership.

Hughes's own methods of attempting to widen the scope of the government's war-time powers were typical of past practice vis-a-vis the wharf labourers. When Hughes was convinced that a certain course should be taken, he always expected instant support from his followers. If there were rules against his desired action, he expected the rules to be changed. An example of this had occurred when, in 1913, he was fired with enthusiasm for the cause of the striking Dublin transport workers and their families. He wanted a large donation from the S.W.L.U. The union's rules, which he had helped to make, prevented the donating of any sum larger than £5 until notice had been duly given of a special

meeting arranged for the purpose. When Hughes was reminded of this rule he demanded that the rule be changed forthwith. The union resisted the extraordinary demand, and observing its usual practice, donated £25 at a special meeting the following week.⁷⁴

So it was with the case of Hughes and the war.

We did not invite this war, we don't believe in this war, but the fact is we are in the war and we must win. As well talk of the causes of this war as of a conflagration in George Street ... The thing is that it must be extinguished at all hazards

he said before he left for England in January 1916.⁷⁵ "At all hazards" meant that Hughes was determined to organise Australia's war effort as he thought best, regardless of such obstacles as the traditions of the labour movement and the rules of the Labor Party. It was irrelevant that he had been foremost in the campaign to introduce the Labor Party pledge so that Labor politicians would obey the decisions of P.L.L. conferences. He chose to forget what he had so often stressed in the W.W.F., that agreements, once entered into,

74. S.W.L.U. Minutes 8, 15 October 1913

75. Worker 20 January 1916

had to be kept. And as he wrote in The Case For Labor,

We are not free to break our word, abandon our principles, desert our Party, betray our constituents ... I do not for a moment deny a man's right to change his opinions. I only deny his right to break his word ... If he finds after election that he can no longer conscientiously support those measures to which he is pledged, his course is quite clear. Let him, before such measures are put to the test, resign his seat, and if he chooses contest the electorate upon his changed opinions. 76

Where Hughes could not get his own way by cajolery and rhetoric he was quite prepared to use other methods of coercion. His technique in keeping the S.W.L.U. from being embroiled in the disputes of other unions has been described. Hughes made libellous charges against those opposed to conscription; because they did not agree with him they were shirkers, pro-German, unpatriotic, I.W.W. traitors. Full use was made of his war-time powers to raid buildings, censor the press or in any other way prevent dissemination of anti-Hughes or anti-conscription propaganda. He proposed to intimidate single males who had not responded to the recruiting drive by making them answer questions as they voted at the referendum.

76. W.M. Hughes, The Case for Labor pp. 75 and 111

This last error was a sign of his bureaucratic self-confidence, and it lost him the services of Higgs from his cabinet.

As for the other politicians representing wharf labourers on the C.O.M., only two did not support Hughes's persuasive reasoning. Fisher had left the C.O.M. when he became High Commissioner. Higgs, Poynton, Archibald and Laird Smith were all ministers in Hughes's first ministry. Bamford and Turley were not in the cabinet but were loyal friends of Hughes. Of the four ministers, Higgs resigned as a protest against Hughes's methods on the eve of the referendum poll. Senator Turley opposed conscription and was one of the Labor members who stayed in the room when Hughes said "Let all who support me follow me" and walked out of the Caucus meeting on 14 November. Although Bamford's electorate was in Queensland and the Labor government in that state had opposed conscription, Bamford followed Hughes out, together with Archibald, Laird Smith, Poynton and de Largie. The last-named senator had opposed compulsion in military service in 1906 but supported Watson's proposal for compulsory military training in 1908.

Of the five C.O.M. politicians who followed Hughes all but de Largie received cabinet positions in Hughes's new government.⁷⁷ Guthrie, Spence and Lynch, leaders of the Seamen's Union, the A.W.U., and the Engineers respectively, also followed Hughes, and Lynch was included in the new cabinet.

The wharf labourers had passed their resolution, which was to rid the W.W.F. of politicians, before the referendum took place. Nothing short of the complete destruction of the W.W.F. could then have reversed their decision. The C.O.M. applied the W.W.F. conference resolution embodied in Rule 25 on the same day that Caucus declared its lack of confidence in Hughes. Hughes's dramatic exit ended any chance of the breach between himself and the Labor Party being healed. In the case of the Labor Party, which Hughes had helped to mould and bring to power, the Party was so weakened that it did not regain control of the Federal government for thirteen years. On the other hand the S.W.L.U. and the W.W.F., both of which came to maturity largely as a result

77. W. Farmer Whyte op. cit., pp. 304-305

of his political leadership, were able to throw him off and still survive. A new type of leadership and a new unity was built, not on politicians and responses to political situations, but on wharf labourers and their needs as unionists.

CONCLUSION

When W.M. Hughes and his political friends initiated the W.W.F. and established themselves as its council of management, the organisation was a federation in name only, and the "branch delegates" could scarcely be said to be representatives of the "branches". Apart from the Port Phillip Stevedores and their member, J. Morris, the Sydney union was the only one with a representative who played a large part in the union affairs. This was Hughes; even so, Hughes was never a wharf labourer, nor were the other Federal politicians of the C.O.M. with the exception of Senator Turley. None of the links of the politicians with wharf labourers was ever anything but political; their electorates included wharf labourers. The C.O.M., headed by Hughes, was thus an extremely bureaucratic and artificial body, and it remained so until its re-forming in 1916.

Hughes did not find it desirable or necessary to change the format of leadership during his fourteen years as president. True the branches all "elected" their delegates after 1902, but the delegates continued to be those politicians who were able and willing to attend the meetings in Melbourne. The fact that the Sydney union unanimously elected Hughes to be its representative on the C.O.M., just a month before it expelled him from its own ranks, is an indication that neither Sydney nor the other branches were irked by the arrangement Hughes had contrived.

No part section of the W.W.F. deliberately set out between 1902 and 1916 to strengthen the central organisation. Rather the reverse was the case. The Sydney branch was an example par excellence of a union which tolerated the W.W.F. under duress for most of the period. There was certainly a dramatic change in branch attitude towards the matter of the W.W.F. leadership structure in October 1916; this qualitative change was almost an accidental one, not due to industrial self-interest but to a matter of principle which influenced the Sydney branch more than the others.

Whether Hughes could have maintained the leadership of the W.W.F. indefinitely, had the conscription issue not intervened, is another matter. Imperceptibly the branch leaders in the main eastern states had begun to be W.W.F. leaders, not as members of the C.O.M., but in the practical determination of C.O.M. policy. This came about in two ways. Firstly there were the experiences of the branch leaders in case-presentation for state and federal agreements. The preparations necessitated close co-operation with Hughes and Morris. Secondly there was the participation of the branch leaders in the annual conferences of the W.W.F.; after 1912 the conferences became occasions when wharf labourer delegates, not politicians, jointly determined the main objects of W.W.F. campaigns. In the absence of Hughes on his political pursuits, the wharf labourers from the various branches co-operated in discussion of the industrial matters about which they, and not their C.O.M. political representatives, were the experts. In these shared experiences the wharf labourers built a unity between themselves and between the branches, which not all the speeches of Hughes

could have achieved. While Hughes was the initiator of the experienced which led to the development by wharf labourers of their own organisational skills, neither Hughes nor the wharf labourers were consciously building a future non-politician W.W.F. leadership.

The Federal award had a profound effect on the W.W.F. In establishing a common minimum wage rate for wharf labourers in all ports, the award developed amongst the members a sense of belonging to one inclusive organisation. A new obligation was placed on the branches and their leaders to maintain the award. The C.O.M. secretary Morris had day-to-day responsibility for dealing with the problems concerning the Federal award. His growth to maturity as a leader was aided by the existence of the award and by Hughes's elevation to the political management of Australia during a war.

By 1916 a transformation had taken place in the W.W.F. It had developed potential leaders from the ranks. It had become a federation of unions, the members of which saw themselves as belonging to a strong, united, disciplined body. The reconstructed C.O.M. of 1916 was able to remain viable and retain the loyalty of the membership after Hughes and the other non-wharf labourers were dismissed. The Sydney branch provided Hughes's replacement; Jock Woods, the S.W.L.U. secretary, became President of the C.O.M. and the Sydney delegate.

The W.W.F. did not cast aside the industrial policies of Hughes. At its first meeting in 1917 the C.O.M. endorsed the Sydney branch proposal that an application should be made for a

variation in the 1914 award, due for review and renewal. Other meetings decided that the W.W.F. should also ask for an increase in the minimum rate of pay to 2/6 per hour ordinary time, with pro rata increases in all other rates; an application would be made to the shipowners to confer on all the claims decided by the branches. Following the conference, application would be made to have the court vary the award. All the branches were to be asked for a guarantee that they would abide by whatever the award decreed.

Policies of conciliation, arbitration and branch obedience taught by Hughes were therefore to continue. The C.O.M. also re-commenced Hughes's efforts to form a Transport Workers' Federation. A successful conference of delegates from all the maritime unions was held, and a draft constitution circulated to the branches of the proposed member organisations. Discussions had taken place with the shipowners, and by the end of July 1917, preparations were under way to have a new agreement argued in the Commonwealth Arbitration Court.

All plans for a peaceful future were unfortunately halted by the decision of Sydney and Melbourne W.W.F. members to join in the big strike of August 1917. The action of the wharf labourers was motivated by trade union principle - the loyalty which demanded that waterside workers should not handle goods which had been made "black" by non-unionists doing the work of striking rail transport workers. The results of the W.W.F. participation in the 1917 strike were disastrous. Higgins cancelled the preference clause

of the 1914 award, although he would not accede to what he described as the "vindictive" request of Hughes that he de-register the W.W.F. The shipowners re-established their own employment bureaux; conditions of employment for W.W.F. members were further disturbed by the return of ex-soldier wharf labourers who were guaranteed first preference of work on the waterfront.

Undoubtedly had Hughes been the W.W.F. leader at the time he would have endeavoured to prevent the Sydney watersiders and the W.W.F. from becoming involved in the 1917 dispute. Once W.W.F. members had become involved he would have ensured that their participation in the strike was brief, that the whole dispute was brought to a speedy end, that governments should not carry out the reprisals which the Holman government did inflict; nor would the Sydney union have had to endure the employers' bureaux until 1925, as was, in fact the outcome.

Sydney's involvement in the 1917 dispute was very like that of the 1890 maritime strike, both in the union's motivation and in the effects on the waterfront. There was however a major difference, as far as the wharf labourer unionists were concerned, in the aftermath of these two general strikes. After the 1890 strike the Sydney union almost disintegrated; its successful revival, following a period of almost ten years of abortive attempts, was due to the efforts of a politician from outside the union. The after-effects of the 1917 strike were fraught with far more complex difficulties for unionists. In this situation, however, both the W.W.F. and the individual branches were able to survive and recover

without outside aid.

The experiences of wharf labourers in the period between 1902 and 1916 were such that a firm foundation was laid for their future unionism. The nineteenth century efforts had been important in the establishment of that unionism; but the very different industrial and leadership circumstances of the twentieth century provided the fabric necessary for consolidation and continuation.

Appendix I

The First State Award for the S.W.L.U.

The provisions of the award included the following:-

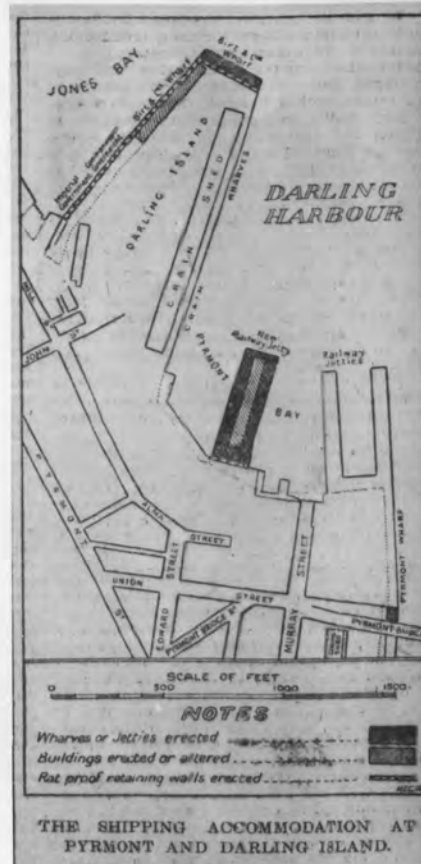
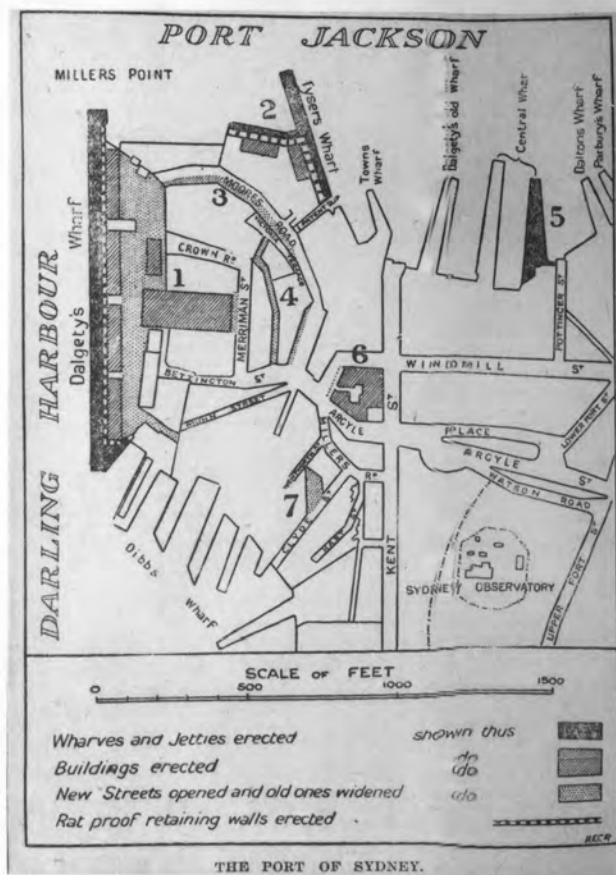
1. Hours of working. Monday - Friday 8 a.m. - 5 p.m.;
Saturday 8 a.m. - 12 noon. Meal hours: breakfast 7 - 8 a.m.,
dinner 12 - 1 p.m., tea 5 - 6 p.m., 12 midnight - 1 a.m.
Meal hours for deep-sea trade to correspond with interstate
and coastal trade during trans-shipment.
2. Holidays defined, including 1 day for a picnic. Christmas
Day and Easter as special holidays.
3. Rates of pay. All cargoes except frozen meat 1/3 per
hour, 1/9 overtime, 2/3 breakfast and dinner, 2/9 tea and
supper - for 5 ordinary working days until 12 noon Saturday.
Saturday (other than frozen meat) 1 - 4 p.m. 1/9 per hour;
4 p.m. - midnight 2/6 per hour; 12 noon - 1 p.m. 2/3, tea 3/-
Sunday, Christmas Day and Good Friday 4/6 all through, except
frozen meat.
Holidays other than Christmas Day and Good Friday 2/3 all
through and 3/- all meal hours.
4. Frozen Meat 3/- per hour all through.
5. Smoke-ohs. Three to be paid for except 3.15 p.m. -
3.30 p.m. bag stuff an extra one; other than bagged stuff 3
at $\frac{1}{2}$ -hour.
9.30 - 9.45 p.m. if men working until 11 p.m.
9.30 - 10 p.m. if men working until midnight.
5.30 - 6 a.m. if men work on.

6. Conditions Number of men in steamers, for first hour not less than 4; after first hour not less than 6.
7. Frozen Meat. 1/6 per hour in day, 2/- in night on wharf and on ship. 2/3 per hour breakfast and dinner, 3/- tea and supper ordinary working days. Saturday 12 noon - 4 p.m. 2/6 per hour, 4 p.m. - midnight 3/6 per hour.
Sunday, Christmas Day, Good Friday 5/- per hour all through.
8. Engagement of men Men to be allowed to remain at or near wharf for space of 1 hour. Employers to have full right to choose, put on and discharge men at their discretion, provided that no man starting work shall be paid for less than 1 hour, and no man starting work who should have worked more than 1 hour to be paid for less than 2 hours' work.
9. Ceasing work Having begun work no member to cease work until loading or discharging is completed unless released therefrom by employer, but one man shall not be displaced to make room for another.
10. Delegates and officers of union not to interview members whilst at work without permission of employer.
11. Preference Members of the claimant union shall have preference over non-unionists. Non-unionists to be engaged to make up for any deficiency of competent men approved of by the employer. Employer to make a request for sufficient number, in writing, in a reasonable time.
12. Making up time and pay.
13. Constant hands on lighters - some allowed.

14. Definition of wharf labourer.
15. Constant hands as winchmen, hatchmen and gearmen, or engineers acting as such, to be in limited numbers (25) divided amongst the companies, employed by week or month and receiving not less than £2.10.0 per week.
16. Picnic Day, later than the present one, not to be taken in November, December, January or the first week in February.
17. The union to supply the Stevedores' Association with a list of members' names and addresses and dates of enrolment together with medal numbers, and monthly changes in membership; the expenses involved in the supplying of this information to be borne by the Stevedores' Association.

N.S.W. Industrial Arbitration Reports 1903 pp. 143 - 150

Appendix II



Appendix III

Principal provisions of the 1909 W.W.F.
agreement with Steamship Owners' Federation.

Ordinary working hours, Monday to Friday, 8 a.m. to 5.30 p.m.;
Saturday, 8 a.m. to noon.

Meal hours, 7 a.m. to 8 a.m., 12 noon to 1 p.m., 5.30 p.m.
to 6 p.m., and 12 midnight to 1 a.m. (supper); all smoke-ohs to
be paid for, with extra rates, if worked, as shown below.

The annual holidays shall be New Year's Day, Anniversary Day,
Good Friday, Easter Monday, King's Birthday, Prince of Wales
Birthday, Christmas Day, Boxing Day, and Eight-hour day, and day
for annual picnic to be fixed as most convenient for both parties.

The minimum wage is fixed at 1s.3d. per hour. Overtime,
Monday until 4 p.m. Saturday, 1s 10½d. per hour; from 4 p.m. until
midnight on Saturdays, 2s 6d. per hour. Meal hours, if worked,
Monday to Friday, 2s.3d. (breakfast and dinner), tea 3s.; these
rates to continue until the men have the meal hour. Smoke-ohs,
if worked, Monday to Saturday, 11½d. extra, Saturday evening, 1s.3d.
extra. On Sunday, Christmas Day, Good Friday, and Eight-hour Day,
the rate is to be 4s.6d. per hour; meal hours on these days, if
worked, time and a half; smoke-ohs, if worked, 2s.3d. extra. On
other recognised holidays the rate is to be 2s.3d. per hour, meal
hours 3s.; and smoke-ohs, 1s.3d. extra.

Special rates to be paid for explosives, manure, and refriger-
ated produce...

Other provisions of the agreement include the following:
If men start workm they shall be paid for one hour, and if more

than one hour, two hours; men engaged, but not turned to, shall be paid full rates for the first hour or portion thereof, and half rates after until turned to or discharged. The number of men working in the hold shall not be less than six for vessels of not less than 500 tons register, and not less than four for vessels under that tonnage, provided always that if, when work is started, men are not available, work shall not be suspended until reasonable time has elapsed to allow the employer to supply the deficiency. Men having begun work on vessel or wharf shall not cease without reasonable cause or consent of employer, until the work is completed. No competent man to be removed to make room for another. Men shall not be called upon to work more than 24 hours consecutively, including meal hours. Should work start between meal hours, it shall cease at the last meal hour before the expiration of 24 hours, provided that, if work is not finished, and fresh men are not available, those engaged may be called upon to finish the work.

Payment for travelling time... When stopped by rain, payment will be made for actual work.

The agreement came into force in January 1910 and lasted until November 1913.

W.W.F. Papers January 1910.

Appendix IV

Agreement made between Melbourne Wharf Labourers
and Employers' Union 1886.

We the undersigned, being the arbitrators under the deed of submission dated 28 January, 1886, to determine the general question of what rate of wages the wharf labourers are reasonably entitled to be paid, having regard to all the circumstances affecting the same, do hereby make and publish the following as our award, as provided by the said deed:

1. That eight hours should be considered as a day's work, viz., 7 a.m. to 5 p.m., two hours being allowed for meals at such time as may be agreed between employers and employees; overtime to be paid after 5 p.m. and for work done during meal hours.
2. That for general cargo each of the first four hours of the day's work in any week to be paid at the rate of 1/3 per hour; that each of the succeeding twelve hours of the day's work in the same employ during such week be paid at the rate of 1/1 per hour; that each hour of the day's work in the same employ in the same week be paid at the rate of 1/- per hour; and that all overtime be paid at the rate of 1/6 per hour.
3. That, except where work on general cargo is suspended from accident or bad weather, any labourer engaged at any time during the first three working hours of any day should be paid for not less than two hours of that day, and if engaged at any later part of the day for not less than one hour. Portions

of any additional quarter of an hour to be paid for as full quarters of an hour.

4. That stevedores be paid by the ship owners.
 5. That the rates paid for discharging coal be as follows:
Large baskets, 9d. per ton; small baskets, 1/1 per ton; bags, 1/5 per ton; hand winching by small baskets, 1/3 per ton, and bags 1/7 per ton; with an increase of fifty per cent on the above rates for overtime. Hourly wages to be paid at the rate of 1/2 per hour during the day, and 1/9 for overtime.
 6. Ship owners to find steam winch drivers and all gear.
 7. Ship owners to produce the pit certificates, also a quantity certificate signed on behalf of the firm showing quantities discharged from the ship by large and small baskets respectively. Stevedores to furnish a labour sheet of each ship.
 8. All labourers specially ordered to proceed to the bay or wharf at specified times during the night to lighten ship or tranship cargo to be paid half-hourly money from the time they arrive until they commence work.
 9. New Year's Day, Good Friday, Eight Hours' Day, and Christmas Day to be considered strict holidays, and if work is required on either of such days or on Sundays, double time to be paid.
- Signed by the Chairman, W.C. Kernot, and members of the Board,
9 February, 1886.

Appendix VW.W.F. LOG OF CLAIMS 1914

1. That the ordinary rates of wages shall be 2s. per hour.
2. That the rates of wages for special cargoes shall be 2s 3d. per hour. Freezing chamber 2s 4., and explosives 3s.
3. That time and a half be allowed for overtime.
4. That double time be paid from Noon on Saturday until midnight; from midnight Saturday until midnight Sunday, 10s. per hour; and from midnight Sunday until 8 a.m. Monday morning, double time on the rates adopted.
5. That double time be paid for the holiday rates, which are specified by the various branches, and time and a half overtime.
6. That Sunday, Christmas Day, and Good Friday, the rates of pay shall be 10s. per hour on all cargoes, and 16s. per hour on explosives.
7. That work be allowed between the hours of 12 p.m. and 6 a.m., at 10s. per hour, on mails, perishable cargoes, and luggage, on Eight Hours Day and Picnic Day.
8. That all cargoes at Flat Top be paid at the rate of 2s. 9d. per hour; 50 per cent overtime, double rates covering other holidays in proportion.
9. That wages for coal and coke shall be the same as special cargoes, 2s. 3d. per hour, and same rates fixed for overtime and holidays.

10. That in all cases of urgency, where members' services are required at wrecks, or at the Quarantine Station, or at the scene of any marine casualty, necessitating members' compulsory absence from their homes, the remuneration for such service shall be full time allowance, day or night, to and from the scene of operations. Time to count from the time of leaving the pier, and full time (day whilst on the ground). Members shall be in readiness at all times, day or night, to perform any services required of them whilst thus engaged, and shall afford every reasonable assistance towards the preservation of life. Full time as above to be guided by the usual rules of the branches. (N.B. - In the event of members requiring to be vaccinated, each member will receive the sum of one (1) pound sterling for each time he has to undergo the operation. Also, if members' clothes are spoiled through disinfection, damages not be less than £2.15s. to replace each member's loss).
11. That in all cases where members' services are required to load or discharge vessels which are moored at safe anchorage or wharf, and when no unusual risk or danger is incurred, the remuneration for the said services shall be the same as in Agreement for branches. Full time to be allowed, during the day or night, whilst proceeding to and from such vessels, and also whilst not engaged performing any work connected or in conjunction with the same. No work to be done during the time the vessel is proceeding to her port of call, and that a half-hour be paid to all members travelling beyond a given point

from place of engagement. All foremen to tell members the time of starting and finishing work when asked.

12. That full rates be paid from the time of engagement.
13. That one hour be paid travelling to work each day, outside of 1 mile, and within 3 miles' radius.
14. That in works at wrecks and salvage cargo, the rates from engagement to finish shall be 5s. per hour ordinary time, with 50 per cent increase for overtime, and should members have to stand by owing to boisterous weather or otherwise, they shall be paid 3s. per hour ordinary time, and 50 per cent increase for overtime.
15. That work shall not be commenced in any fumigating chamber or fumigated ship until such chamber or hold has been ventilated by fans for a period of six hours - men to be paid in full for all waiting time.
16. That when members are ordered down to any place or vessel, and are kept waiting, payment shall be made from the time ordered to be down at full rates day time, or overtime rates, as the case may be, until work is started, or they are discharged; but, if members be discharged on arrival at place ordered, they shall be paid two hours' waiting time at the full rates, but when discharged members shall be at liberty to seek employment elsewhere.
17. That the rates of pay for Geelong Bay steamers shall be 2s.6d. per hour for all cargoes except explosives, which shall be paid at explosive rates, and 50 per cent overtime.
18. That every member put on shall be paid for two hours, and all subsequent hours shall be paid for each half hour that he works ordinary time.

19. That members ordered to work after 5 p.m. shall not be paid for less than four hours; members being required to work after half night shall not be paid less than six hours; members ordered to work after midnight shall be paid for not less than six hours.
20. That meal hours shall be paid at double time if worked; these rates to continue until the men are allowed their full meal hour, but it shall not be considered a breach of the Agreement if the members refuse to work the meal hour.
21. That no work be done during smoke-ohs without being paid double rates.
22. That bagged cargo over 150 lbs., and not exceeding 200 lbs., if carried, shall be paid for at the special rates.
23. That no member of this Federation shall handle or carry any bag cargo exceeding 200 lbs.
24. That no bales of skins, leather, or hides shall be handled weighing over 4 cwt. That in lashing the bales of leather, four beackets be left exposed for convenience of handling.
25. That the weight of packages be limited to a standard of 4 cwt. for any package in more than one parcel, and the weight of all packages be placed in a conspicuous place on all such packages.
26. That no member shall be called upon to lift bagged ore weighing over 100 lbs.
27. That all ports above Brisbane, including Strahan, receive 3d. per hour extra for all cargoes on account of climatic conditions.

28. That for any member working in water at cargo, the rate of pay shall be 5s. per hour ordinary time, and 50 per cent overtime.
29. That the following shall be special cargoes:- Lime, cement, blood manure, sulphur, bone-dust, superphosphates, gypsum, rock-phosphates, blister copper, manganese, plaster, pig iron, ammonia, wet hides, lead bullion, ore (bag or bulk), ballast, carbolic powder, ironstone, copper matte, zinc-ashes, log timber, cased mineral oils, acid (in liquid), coal and coke, broken glass, pipes covered with creosote, concentrates, and powellised timber, and be paid for at special rates.
30. That the maximum of 1 ton weight of sling in and out of the ship's hold be 1 ton, to apply where the trucks are used; where trollies are used, the maximum to be 14 cwt.
31. That the weight of cargo on a two-wheel truck be 4 cwt. (except bag cargo); exceeding that weight, extra men in proportion.
32. That three Chapman sacks be the full load to be drawn on a two-wheel truck by one man.
33. That in the event of reasonable care not being taken to safeguard the members against danger by the foremen or employer, members shall decline to work near or under or in any way expose themselves to such danger until same be rectified.
34. That the number of men to be sent into the hold, or on the deck (independent of winchmen and hatchmen) of a vessel, shall be, on every vessel of 400 tons register or more, not less

than six; and on any vessel of less than 400 tons, not less than four. Vessels discharging kerosene and bag stuff, not less than eight men, provided that if at the time of starting work the full complement of men is not available, work shall not be suspended until a reasonable time has elapsed to allow the employer to supply the deficiency.

35. The eight men constitute a gang discharging coal, independent of the winchmen and hatchmen; this rule not to apply to vessels under 400 tons register.
36. That the Federation do not recognise any basket (for coal use) carrying over 5 cwt.
37. That not less than ten men constitute a gang shovelling coke, independent of the winchmen and hatchmen, this rule not to apply to vessels under 400 tons.
38. That this Federation do not recognise tubs for coal work by any members working by the hour.
39. That there shall be at least six men trucking with 2-wheel trucks at each hatch or gang, unless it can be clearly shown that such a minimum is excessive to the satisfaction of the vigilant officers or secretary. That the men trucking shall not do any other work. Where truckers are transferred from one hatch to another, and the latter hatch is finished first, the truckers so transferred shall have the right to return and complete their original hatch.

40. That in order to prevent accident, all winches and other hoisting gear shall be stopped whilst men are ascending or descending a ship's hold or changing for relief.
41. That flare-up lamps be abolished in regard to our work.
42. That notwithstanding anything contained in the Agreement, and without prejudice, no man shall work in any refrigerating chamber or ship's hold when the temperature falls below 15 degrees, and that men shall be allowed fifteen minutes each way for changing at meal hours.
43. That when working bulk cargo or coal, there must be sufficient space left for the men to get out of the hold at meal hours and smoke-oh time.
44. That men shall not be compelled to work in rain, and during all stoppages on account of rain, shall be paid full rates until they are discharged.
45. That all better conditions and privileges (which are better than the present conditions) any branch may have, are to be retained by such branch.
46. That the question of the meal hours be left to each branch to fix up, the time they require to be placed in each Agreement.
47. That the question of fixing the time for smoke-ohs be left to the branches.
48. That there be four smoke-ohs in the twenty-four hours; that they be half-an-hour each, and that they be paid for.
49. That when members are engaged to start work they shall not be ordered to stand by while the vessel is moving from one

pier or wharf to another, unless they are paid full time for all time waited.

50. That the matter of engaging labour be left to local conditions.
51. That no member of the Federation work with any man outside of the Federation while members are available.
52. That members having worked before a meal hour, and not been knocked off, shall be paid for the first hour after such meal hour.
53. That members of the Federation shall not work with sailor labour.
54. That the members of the Federation shall not receive or deliver any cargo to any non-unionist within the Commonwealth, and the cargo must be coming or going to a firm which has had a dispute with their employees, who are unionists, and the said unionists have laid their complaint before the Committee of Management of the Federation, and they have decided that we should help that Union.
55. That members be allowed fifteen minutes to put on the hatches; members shall not put on hatches and beams which have been removed by the crew.
56. That the means of conveyance for all travelling purposes be provided by the employer; all necessary fares to and from work to be paid by the latter.
57. That in the agreement there be placed a clause stipulating that any member being injured, shall be paid a fixed sum weekly; in the event of death, a lump sum; such clause not

not to debar a members of his relatives from taking action under any other law.

58. That the minimum of 35s. per week, and the maximum be £600 from the date of injury, and the amount in the event of death be £600.

MELBOURNE WHARF LABOURERS

59. Rates of Pay. - Large baskets round coal, 1s. 1d. per ton 50 per cent overtime; large baskets small coal, 1s. per ton, 50 per cent overtime; small baskets round and small coal, 1s.5d. per ton, 50 per cent overtime; bagging, round and small, 1s.9d. per ton, 50 per cent overtime; tubs, round and small, 1s.3d. per ton, 50 per cent overtime; tubs, three and four hatches, with tunnel, 1s.4d. per ton, 50 per cent overtime; ores, 1s. per ton, 50 per cent overtime; coke, 1s.10d. per ton, 50 per cent overtime.

Re Bagging. - Standard bags to be used in coal work.

Re Tubs. - One man extra in each hatch to help handle tubs.

Coke in Bags. - To be paid 2s. per hour, seven hours to constitute a shift.

Extra trolleymen to be paid same rates as coal workers, namely, per ton as above.

Trimming in Steamers' Bunkers. - To be paid at same rates as coal workers, namely, per ton, as above.

Extra Carriers and Geelong Shunters. - To be paid same rates as coal workers, namely, as above.

Rigging Coal Gear - To be replaced by the following:-

"All rigging of gear to be paid for at hourly rates, viz. 2s. per hour day work, 50 per cent overtime; holiday rates same as general cargo. Sunday, Christmas Day, Good Friday, Eight Hours Day, paid same as general cargo rates".

HOBART

60. Discharging coal from steamers into hulks, or from steamer ashore, 1s.3d. per ton; from hulks into steamers, 1s.3d. per ton; carrying to bunkers, 3d. per ton each carrier; tramming to bunkers or bunker hatch, 9d. extra.

Coal. - Tipping into side bunkers, 9d. extra. These rates to apply to English or foreign steamers or sailing vessels, Inter-State steamers or sailing vessels, and warships.

Coal Trimming. - To be paid for at the rate of 2s.3d. per hour during ordinary working hours and 3s.4½d. per hour during overtime hours. All holidays (except those mentioned to be paid for at double rate per hour during ordinary hours, and time and a half per hour during overtime hours. Christmas Day, Good Friday, and Eight Hours Day paid same as special cargoes rates.

Appendix VI

Circular from C.O.M. February 1914

To the Members of the Port Phillips Stevedores'
Branch of the Waterside Workers' Federation

The action of the Branch in rejecting the proposals of Mr. Justice Higgins, strongly recommended for adoption by the council of the W.W. Federation, has created a situation which, from the standpoint of unionism, is impossible, and cannot remain as it stands. Believing that members of the Port Phillip Stevedores' Branch acted without full knowledge and appreciation of the facts, the Council has determined to briefly state the case.

THE FEDERATION AND WHAT IT HAS DONE

Every Wharf Laborers' Union throughout Australia, with the exception of Port Adelaide, belongs to the W.W. Federation. The Federation was formed in order to embrace in one union every worker in the waterside industry throughout Australia. As the employers in the industry are federated and act as one, it was realised that the day for isolated action by individual unions was past. The Federation has been successful in greatly improving the conditions of the wharf workers throughout the Commonwealth. It has done this because it has been able to speak for all the Branches and not merely one of them. That is to say, UNITED ACTION HAS PROVED IN THE CASE OF THE FEDERATION AS SUCCESSFUL AS WITH INDIVIDUAL UNIONS.

SOLIDARITY THE BASIS OF UNIONISM

This point is of fundamental importance - to overlook it is absolutely fatal to the success of unionism. Unionism depends for its strength on united action, individual members are entitled to their opinion, and to urge their fellows to adopt them, and to follow their policy: but once the majority has decided upon a policy, there is an end of the matter, and every man must fall into line. This applies not only to the Port Phillip Stevedores' Branch, but to the Federation, which is nothing but a union covering a whole industry and extending over a continent. Discipline is the very keystone of the Unionistic arch. Those reckless extremists in our unions, who counsel disregard of the decision of the majority, and of the policy approved by the majority, are a danger to unionism and to Labor a hundred times greater than all the backlegs and capitalists in the world.

The unionist is only strong BECAUSE he sticks to his fellow-unionist. The moment he goes his own way, either rushing ahead or lagging behind the army of Labor, he becomes an easy prey to Labor's enemies. United action dictated by the majority being the basic principle of unionism, and no one can deny it - let us apply it to the present case.

THE FACTS OF THE CASE

What are the facts?

Delegates from practically all the Branches of the W.W. Federation met in Conference in Sydney in October last. Stevedores were duly represented by its accredited delegates (Morris and Wilson).

This conference, at which every Branch was properly represented, drew up a log of working conditions, and instructed the Council of the Federation to meet the employers, in order to get the rates and conditions set forth in the log. This was done. Two Conferences were held, at both of which the Stevedores' Branch was specially represented by Messrs. Morris and Wilson, whom the Branch elected for that purpose. The employers declined to agree to grant the conditions asked for, point blank declined to grant any concessions at all, and referred the Federation to the Arbitration Court.

THE COUNCIL'S POLICY

The Council of the Federation then decided upon a policy, the first step of which was to recommend the Branches not to work overtime. This was communicated to the Branches, and agreed to by all.

After three days of "no overtime", Mr. Justice Higgins intervened, and summoned both parties to a compulsory Conference in Melbourne. At this Conference - to which Mr. Morris was summoned - the parties failing to agree, Mr. Justice Higgins made a proposal: That conditionally upon the men resuming overtime, he would hear the case immediately, and make the award retrospective from the date of the resumption of overtime.

THE COUNCIL AND MR. JUSTICE HIGGINS' PROPOSAL

The Council considered this proposal very carefully. It realised that the only alternatives to the proposal were:-

(1) To await the case coming on in the Arbitration Court in its turn; or (2) To strike.

The Council did not consider the continuance of the present arrangement of working no overtime possible for any length of time, as the employers would, sooner or later, endeavour to get the work done with non-union labor, and so cause a strike.

The position was further complicated by the fact that the Arbitration Court had ample jurisdiction to interfere at any time, and certainly would interfere directly a strike took place, and thus this must inevitably follow directly the employers put on non-union labor to do overtime work. It was considered that a deliberate strike was most undesirable.

The position thus narrowed itself down to (1) Agreeing to the Judge's proposals, and going into the Arbitration Court at once, with the award retrospective from last Friday; or (2) Flouting the Judge who was to try the case, and being compelled to go into the court later.

In the circumstances, the Council unanimously decided to recommend the acceptance of the Judge's proposals.

A MAJORITY SUPPORT THE COUNCIL AND ADOPT THE
PROPOSALS.

Having done this, although under Rule 16 the Council's decision was final, the Branches were notified, and arrangements made to lay the position before the members. Twenty-nine Branches voted. Twenty-seven, with a member-ship of 7624, voted for the proposal, and two, with a member-ship of 5376, voted against. There is,

therefore, a clear and substantial majority in favor of the proposals, and the Council's decision, supported by the majority, by the rules of the Constitution, and by the basic principle of unionism, is binding on every member of the Federation.

THE MAJORITY MUST RULE

The will of the majority of members of the Federation, which has been clearly expressed, must be obeyed.

For members of the Stevedores' Branch to flout the decision of the Council and the majority of members of the Federation is not only to act quite inconsistently with the principles of unionism, but to most seriously jeopardise the interests of their fellow-members in the other ports, who have just as good a right to be heard and to decide the policy of the Federation as the members of the Stevedores' Branch.

Here, then, is the position. Solidarity is the foundation upon which unionism rests. The majority in the Federation must rule. The members of the Waterside Workers' Federation have decided upon a certain policy. The Council calls upon the members of the Stevedores' Branch to fall into line, to be true unionists, and not to follow those wreckers of unionism, who by defying discipline and united action, play into the hands of capitalists.

W.M. HUGHES, President

J. MORRIS, Secretary.

Appendix VII

Some conditions of labour for waterside workers awarded in the 1915 variation to the first Commonwealth award of 1914.

7. (a) The limit of weight of bagged ore to be lifted by any one man shall be 1 cwt.
- (b) The limit of weight of a bag of cargo to be handled by any one man shall be 200 lbs. This applies to coal and coke as well as other cargoes.
- (c) The limit of weight of cargo for any one man where two-wheeled trucks are used shall be 5 cwt. but in the case of single packages 6 cwt.
- For every additional weight of 5 cwt. or fraction thereof an additional man must be employed. This does not apply to bagged cargo on a truck in the cases mentioned in the next following sub-clause (d).
- (d) The limit of cargo for any one man on a two-wheeled truck in the case of bagged cargo of the kinds following shall be -

New Zealand hides	2 bags
Hides (other than New Zealand Hides)	3 bags
Malt, pollard, maize, wheat, potatoes	3 bags
Barley, onions, manure, gypsum . . .	3 bags
Sand, bark, peas, beans	3 bags
(In large bags) sugar, salt, rice, flour	3 Bags
Chaff, pumice, fungus, cement . . .	4 bags
(In Chapman sacks) horns, glue pieces, bones, oats, bran, sharps, copra	4 bags

(In small bags)	Salt	5 bags
"	"	"	Sugar 8 bags
"	"	"	Rice 8 bags
"	"	"	Flour 8 bags

- (e) The limit of weight of cargo for any two men where a trolley is used shall be 15 cwt.

For every additional weight of 6 cwt. or fraction thereof an additional man must be employed.

- (f) With the exceptions following the number of men employed to work in a hold or on deck whether in loading or in discharging and irrespective of hatchmen and winchmen shall be not less than -

Six, if the vessel be more than 500 tons (net register).

Four, if the vessel be more than 100 and not more than 500 tons.

Two, if the vessel be not more than 100 tons....

- (g) In the working of bulk cargo (coal included) the employer shall cause sufficient space to be left for the employee to get out of the hold at meal hours or smoko.

- (h) When truckers are transferred from one hatch to another and the latter hatch is finished first the truckers transferred shall be entitled to complete their original hatch.

But condition (f) of this clause 7 may be relaxed or

varied as to any particular vessel or hatch or cargo or any stage in the working thereof with the consent of the vigilant officer or other representative of the Federation or (if he refuse consent) in any case in which the number of men is clearly unnecessary. The burden of proof shall lie on the employer.

The foreman or other representative of the employer shall forthwith on the request of the vigilant officer or other representative of the Federation increase the number of men employed to work in the hold or on deck or truckers (where two-wheeled trucks are used) to any number necessary to prevent unfair strain. The burden of proof shall lie on the Federation.

8. No member of the Federation shall be required to work along with any seamen or other man not a member of the Federation if the latter is doing wharf labourer's work and if members of the Federation are available. For the purpose of this clause a wharf labourer's work shall include the work of a winchman or of a hatchman but shall not include the work of rigging gear. And to work "along with" means to work in the discharging or loading of the same hatch or deck. This clause is to override any clause of any agreement allowing the employment of "seamen as at present" if and so far as the agreement is inconsistent with this clause.

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